

THE OHIO STATE UNIVERSITY
OFFICIAL PROCEEDINGS OF THE
ONE THOUSAND THREE HUNDRED AND SEVENTY-THIRD MEETING
OF THE BOARD OF TRUSTEES

Columbus, Ohio, June 1, 2001

The Board of Trustees met at its regular monthly meeting on Friday, June 1, 2001, at The Ohio State University Longaberger Alumni House, Columbus, Ohio, pursuant to adjournment.

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Minutes of the last meeting were approved.

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June 1, 2001 meeting, Board of Trustees

The Chairman, Mr. Brennan, called the meeting of the Board of Trustees to order on June 1, 2001, at 10:45 a.m. He requested the Secretary to call the roll.

Present: David L. Brennan, Chairman, James F. Patterson, Zuheir Sofia, Tami Longaberger, Daniel M. Slane, Robert M. Duncan, Karen L. Hendricks, Dimon R. McFerson, Jo Ann Davidson, Kevin R. Filiatraut, and Joseph A. Shultz. Fred L. Dailey, Director of the Ohio Department of Agriculture, was also in attendance.

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INTRODUCTION OF NEW TRUSTEES

Mr. Brennan:

Please join me in welcoming our two newest members of the Board of Trustees. Jo Ann Davidson has just joined the Board this year after spending three or four years in state government! She most recently served as Speaker of the House of Representatives. She is a wonderful addition to our Board. We're delighted to have you with us, Jo Ann.

Our new student Trustee is Joe Shultz, who is being appointed for two years. Joe is a sophomore in agribusiness and applied economics. We're delighted to have you with us, Joe. I think you'll enjoy your experience and we expect to enjoy you.

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PRESIDENT'S REPORT

President William E. Kirwan:

Mr. Chairman and members of the Board of Trustees, let me add my words of welcome to our two newest Trustees.

My report today focuses on the deeply disappointing result of the biennial budget process and its effects on our Academic Plan. Rarely, if ever, have I seen such a rapid and dramatic reversal of an institution's fiscal fortune as that which occurred over the past several months.

Last October, with the Governor's blessing, the Board of Regents submitted a budget proposal calling for a 16 percent increase for higher education. It included the Ohio Plan, a breakthrough strategy to make Ohio a player in the information age economy. Then, in an unrelenting series of setbacks over the intervening months, we have watched the 16 percent increase evaporate -- The Ohio Plan...gone; increments to the Research Challenge and Success Challenge...gone; additional support for the state's share of instruction...gone. We now face a budget for the upcoming biennium with essentially no increase, meaning that, when inflation is taken into account, our purchasing power is actually reduced.

At each step along the way, there has been an explanation: the DeRolph mandate, the declining economy, a shortfall in the Medicaid budget. The net effect, however, is that in terms of state priorities, higher education has become the source for our other fiscal needs and shortfalls in the state budget.

The most recent cut illustrates this point. When the latest Medicaid shortfall of \$144 million was identified last weekend, almost half of the resulting cut -- \$66 million to be precise -- was assigned to higher education. Forty-five percent of these latest cuts to the Governor's budget request were assigned to higher education, which represents just 13 percent of the total state budget.

PRESIDENT'S REPORT (contd)

President Kirwan: (contd)

No one denies that the Governor and the legislature face a formidable challenge. What is difficult to understand is how, in the information age, our state can continue to place such a low priority on higher education funding. How do our state leaders expect Ohio to reverse its flagging economic fortunes?

As a state, we rank 38th in the percentage of citizens with a bachelor's degree. We rank 41st in per capita expenditure on higher education. Average income in Ohio is significantly below the national average and falling – which is not surprising, given the statistics. One must ask: When will our state step forward and make the kinds of investments that at least give Ohio a chance to compete successfully in the globally competitive information age economy? Sadly, for Ohio -- not just Ohio's colleges and universities -- the answer is "not now."

At the same time, some of our own expenses are rising rapidly. For example, our cost for natural gas rose 89 percent this year, while health care costs were up 37 percent. Last fall, after 18 months of discussion and hard work, we presented the Academic Plan to the Board and other members of the campus community. This bold plan is designed to elevate Ohio State into the top rank of our nation's universities and help Ohio improve its economic fortunes.

What does the lack of growth in our funding mean for the near-term implementation of our Academic Plan? The answer is that we cannot proceed at anything close to the pace that we believe would best serve the University and the people of Ohio. To pick just one example, our efforts to recruit senior eminent faculty who have earned the highest honors in their disciplines will have to be suspended as a result of the new budget.

Disappointed though we are with the budget, let me assure you that we are certainly not defeated. We will move forward with the Academic Plan on as many fronts as possible, focusing our efforts during this period on those actions where funding can be found and where the impact will be the greatest.

Our top priority, competitive compensation for our faculty and staff is where, regrettably, we will make the least progress in the short run. In fact, unfortunately, we expect our competitive position to decline further during this next year.

As the compensation report you heard in April reminded us, we continue to fall behind our benchmark institutions in faculty and staff compensation. Our faculty salary ranking among benchmark institutions has slipped from above the median some years ago, to 8th out of 10, and the salaries at these institutions will rise by an average of another 3 or 4 percent this year. Staff salaries at Ohio State are below market by 7-10 percent. I know you agree that compensation levels for our faculty and staff are unacceptable. With the next fiscal year but a month away, there is little we can do in the short run to address this intolerable circumstance. But we will do what we can...plus considerably more in the following years. Here's how.

For the fiscal year beginning July 1, every employee whose performance meets expectations will receive at least \$395, which will offset increases in health care insurance premiums and parking fees. We will also take several steps on behalf of Graduate Associates, increasing stipends by \$10 per month and the minimum stipend to \$900 monthly.

PRESIDENT'S REPORT (contd)

President Kirwan: (contd)

In addition, we will implement support for graduate associate health benefits, with the first of three annual steps – providing \$15 per month in University support for health insurance coverage next year, rising to \$50 per month within three years.

We are painfully aware of the inadequacy of these compensation gestures, but it's the best we can do at the moment. To address this problem in future years, I have asked the provost and the senior vice president for Business and Finance, with the support of the Office of Human Resources and through consultation with the University Senate, deans, vice presidents, and others, to prepare a faculty and staff compensation strategy that will raise our faculty and staff compensation to the mean of our benchmark institutions within three or four years.

An advisory group comprised of faculty, staff, and students will assist them in their work, and their findings and preliminary recommendations will be presented at the October Board of Trustees meeting. Our goal is to finalize the plan before the end of Winter Quarter and to implement it no later than July 1, 2002.

This initiative will require us to provide an annual self-funded compensation increase above the market average and to do so for each of the next several years. In announcing our intentions, let me emphasize that achieving greater parity of compensation in the face of inadequate state funding will mean that we cannot accomplish some other objectives that are important.

It also will mean that we will have to make significant reductions in existing programs and services to create the necessary resources. I do not underestimate the difficulty of this task. However, if we really believe that academic excellence starts with a top quality faculty and staff – and we do – then this is the right step to take and we must take it. In addition to compensation, there are other areas in the Academic Plan where we expect to make some progress.

For example, the lifting of the state tuition cap will allow us to accelerate our efforts to enhance the quality of the teaching and learning environment and better support the student body. Plans originated in the Colleges of Humanities, Social and Behavioral Science, and Law to create an Institute for the Study of Race and Ethnicity in the Americas have been underway for some time. Funds have been set aside to launch this initiative. The state share of the tobacco settlement funds include substantial resources to support biomedical research. We will use these funds to launch a major biomedical research initiative.

In the coming months, we will, of course, continue to hammer home the message that Ohio needs to better support its colleges and universities. We have a growing body of support – both within the legislature and among the state's business leaders – who agree with us. We will redouble our efforts to make our case to elected officials, potential business allies, opinion leaders, and all others who will listen. We will seek the best possible outcome in next year's capital appropriation. We also will work to support efforts in the General Assembly to find alternative means of funding The Ohio Plan.

In summary, we will do the best we can with what we have and, while we will not be able to do as much as we want or as much as the State of Ohio needs, we will continue to move this University forward towards the goals of the Academic Plan.

Indeed, despite the discouraging budget news, we continue to make progress in our drive for academic excellence. For example, in your folders, the latest *Time* magazine article includes a great story about the robotic surgery being performed

PRESIDENT'S REPORT (contd)

President Kirwan: (contd)

by Drs. Michler and Wolf. And Tuesday night's *NBC Nightly News* featured allergy research by Ohio State pharmacy Professor Sheryl Szeinbach.

The U.S. Department of Defense just awarded \$108 million to the Ohio Supercomputer Center and two other institutions to perform the high performance computing modernization program. It's one of the largest grants to further academic research and training in Defense Department history.

I'll also mention that two juniors – Gabriel T. Chong of Worthington and Karoline Gilbert of Uniontown – have received prestigious Goldwater Scholarships. And six Ohio State researchers earned a very prestigious award – the Faculty Early Career Development Award from the National Science Foundation. They are: Helen Chamberlin, assistant professor of Molecular Genetics; Mark Foster, assistant professor of Biochemistry; Rabi Michalani, assistant professor of Civil and Environmental Engineering; Linda Weavers, assistant professor of Civil and Environmental Engineering and Geodetic Science; Patrick Woodward, assistant professor of Chemistry; and Song-Chun Zhu, assistant professor of Computer and Information Science. These examples of exceptional people at Ohio State serve to remind us that, despite our budgetary setbacks, our high aspirations are still within our grasp.

This is not the only good news at the University. I want to take this opportunity to congratulate Bill Hall, who you will name today as our vice president for Student Affairs. After we reviewed the credentials of some very impressive people, Bill clearly earned not only this position, but also the respect and support of the entire community. Bill, we are fortunate to have you in this position. Would you please stand?

I want to express special thanks to Bobby Moser, who chaired the search committee and all members of that committee, including Judge Duncan and former student Trustee Jaclyn Nowakowski. The committee did an absolutely outstanding job in identifying exceptional candidates.

Mr. Chairman and members of the Board of Trustees, this concludes my report. Unless there are any questions, we will proceed with the designation of two faculty members as Distinguished University Professors.

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PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS

President William E. Kirwan:

As you know, the designation of "Distinguished University Professor" is the highest honor we confer upon our faculty. Along with Ohio Eminent Scholars, the Distinguished University Professors comprise the President's and Provost's Advisory Committee. Each receives \$10,000 a year for three years to support his or her research.

This year's designees – Charles Capen, chair of the Department of Veterinary Biosciences; and Matt Platz, the Melvin S. Newman Professor of Chemistry – are especially worthy of this honor. Let me call upon Provost Ed Ray to begin the presentation.

PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS (contd)

Provost Edward J. Ray:

Thank you, Mr. President. The title "Distinguished University Professor" is Ohio State's highest honor awarded to faculty members. Since its inception in 1986, only 21 faculty have received this prestigious distinction.

Recipients are chosen by a panel of esteemed faculty colleagues. I would like to recognize and thank the selection committee: Dr. Dan Sedmak, chair of the Department of Pathology and interim associate vice president for education in the College of Medicine and Public Health, who served as the selection committee chair; Professor Marilyn Brewer, the Ohio Eminent Scholar in the Department of Psychology; Professor Arthur Epstein, Distinguished University Professor in the Department of Physics; Professor Leila Rupp, chair of the Department of History, who recently received a Distinguished Scholar Award; and Professor Yuan Zheng, chair of the Department of Electrical Engineering.

The selection committee chose two distinguished colleagues for this honor: Professor Charles Capen, chair of the Department of Veterinary Biosciences; and Professor Matthew S. Platz, the Melvin S. Newman Professor in the Department of Chemistry. Before we present the awards, we would like to show you a short video.

[Video presentation]

Provost Ray:

I am pleased to recommend Professor Charles Capen, chair of the Department of Veterinary Biosciences, for the designation of Distinguished University Professor. Dr. Capen's work reflects the very highest standards of excellence for research, teaching, and service.

Considered by colleagues to be one of the premier academicians in the United States today, Dr. Capen's work has earned him an international reputation as a distinguished scholar in the areas of investigative endocrinology and experimental pathology. Researchers in these fields regard him as the world's authority in veterinary endocrine pathology. He is renowned for his work in the use of animal models to study human diseases. His scholarly articles have been published widely in the top peer review journals, including *Science*, in book chapters, in abstracts, and in research presentations.

Dr. Capen is a full professor not only in the Department of Veterinary Biosciences where he serves as chair, but also in the Department of Internal Medicine, Division of Endocrinology and Metabolism. He is a highly effective teacher of professional graduate and postdoctoral students, and has served as faculty advisor for more than 30 graduate students during his tenure at Ohio State.

Dr. Capen is one of only two Ohio State faculty who has been selected for membership in the very prestigious Institute of Medicine of the National Academy of Sciences, and one of only a select few veterinarians ever chosen for membership in the IOM.

In addition, the American College of Veterinary Pathologists bestowed on him the title of Distinguished Member, an honor given to only 20 other veterinary pathologists during the past fifty years, and Ohio State has honored him with a Distinguished Scholar Award. Please join me in congratulating Charles Capen as one of The Ohio State University's Distinguished University Professors.

PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS (contd)

[Award presentation and photograph]

Provost Ray: (contd)

I am pleased to recommend Matthew S. Platz, the Melvin S. Newman Professor of Chemistry, for the designation of Distinguished University Professor. Professor Platz's accomplishments in scholarship, teaching, and service are indeed distinguished and distinctive. Widely regarded as a pioneer in the application of electron spin resonance (ESR spectroscopy) and laser flash photolysis to biradicals, Professor Platz is considered one of the world's experts in the use of these fundamental probes. Colleagues agree that he has also become a world leader in the study of the chemistry of carbines and nitrines.

He has received funding from the National Science Foundation for twenty-four consecutive years and with more than \$600,000 for the three-year period ending January 31, 2003. Professor Platz was elected a Fellow of the American Association for the Advancement of Science, and received the prestigious Cope Scholar Award of the American Chemical Society, one of the most prominent national awards given in organic chemistry; held by only one other Ohio State faculty member.

His record includes close to 190 research articles -- about forty percent appeared in the *Journal of the American Chemical Society* -- 15 chapters and monographs, 10 patents, and more than 170 invited lectures, including as a plenary lecturer at the 1995 National Organic Symposium, an extremely prestigious biennial meeting. Remarkably, he published nearly sixty papers during a five-year period in which he served as acting chair for one year, and then another four years as department chair.

At Ohio State, Professor Platz has been honored with both the Distinguished Scholar Award and the Colleges of the Arts and Sciences' Outstanding Teaching Award. He has graduated close to 30 Ph.D. students, 30 M.S. students, and trained more than 20 postdoctoral research associates. His service activities have included the editorial advisory boards of the *Journal of Organic Chemistry* and the *Journal of Physical Organic Chemistry*, both prestigious journals in the field. At the University-level during his tenure as department chair, he spearheaded a successful proposal that resulted in a Selective Investment Award for the Department of Chemistry.

Please join me in congratulating Professor Platz on being designated one of The Ohio State University's Distinguished University Professors.

[Award presentation and photograph]

Provost Ray:

I'd like to call on Glen Hoffsis, Dean of the College of Veterinary Medicine, to say a few words on behalf of Professor Capen.

Dean Glen F. Hoffsis:

Thank you, Provost Ray. As you've heard, Dr. Capen has impeccable academic credentials. Among those is the statement that if any pharmaceutical company anywhere in the world needs a veterinary pathologist with a specialty in endocrine, Dr. Capen will be on the short list. These international pharmaceutical companies have a veterinary side, as well as a human side in

PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS (contd)

Dean Hoffsis: (contd)

most instances, and it's interesting that Dr. Capen consults more on the human side than he does on the veterinary side.

Dr. Capen is a veterinary pathologist, and the specialty of veterinary pathology essentially started in this department at Ohio State many years ago. It's considered today to be among the top two or three programs in veterinary pathology in the world, and as the fountainhead of the finest veterinary pathologists anywhere in the world. In fact, this department is considered to be the greatest collection of pathological minds anywhere in the world!

Dr. Capen has provided great leadership for the department where he's been the chair for 20 years and is only stepping down now because of the age rule. In this department is where the feline leukemia vaccine was developed and spawned the campus-wide retrovirus center. He, more than anyone else in our college, is responsible for setting the highest standards of academic achievement and performance.

I'm going to conclude with a couple of personal qualities. Dr. Capen has impeccable integrity. He's the most collegial person you'd ever want to work with. A true gentleman, soft spoken, leads by example, and always has the overall good of the institution in mind in everything he does – a real joy to work with. In addition to that, he's an avid sports enthusiast, likes sports cars, and is a world-class, world traveler and wildlife photographer. Thank you.

Dr. Ray:

Thank you, Glen. I'd now like to invite Professor Capen to address the Board.

Professor Charles C. Capen:

Provost Ray, President Kirwan, distinguished Trustees, and guests, I am honored to have been selected as one of the two Distinguished University Professors for the year 2001. It is a distinct honor to join, along with Professor Platz, the list of 21 distinguished scientists who previously have been awarded this honorific, academic title at The Ohio State University.

My research on the pathophysiology of endocrine and metabolic diseases and on carcinogenesis has been a team effort. I am fortunate to have had excellent mentors, and I've worked with outstanding research collaborators, graduate students, postdoctoral scientists, talented research technicians, and administrative staff. All of their efforts are gratefully acknowledged, much appreciated, and have contributed in a major way to the research that's been accomplished in my laboratory.

I first came to Ohio State in 1960 as a graduate student, being attracted to the University by the national reputation of veterinary medical faculty pursuing research using animal models to better understand mechanisms of disease. The academic environment at Ohio State in the health sciences was much different than I was used to at Washington State University, where I completed my veterinary medical education.

The WSU campus at that time was small and located in the far eastern part of the State of Washington, in the middle of some very highly productive wheat fields. The health sciences were represented only by the College of Veterinary Medicine and a small school of pharmacy.

PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS (contd)

Professor Capen: (contd)

At Ohio State the close proximity of all seven health sciences colleges on one campus, and the collegial attitude of faculty and staff in pursuing their teaching and research, have been extremely important to me during my academic career. This unique health sciences community with its numerous opportunities to establish teaching and research collaborations was the single most important factor in my decision to pursue an academic career at The Ohio State University, and to abandon a planned return to the mountain ranges and Pacific Ocean of the Northwest.

My research efforts were directed towards understanding the cause of economically important metabolic diseases in high producing dairy cows and developing effective methods of prevention. Subsequent research has been focused on the interrelationship of the calcitrophic hormones, including parathyroid hormone, calcitonin, and vitamin D, and the regulation of calcium metabolism and bone cell activity under normal and disease conditions. Naturally occurring diseases, as well as genetically engineered animal models, along with in vitro methods, have been used to further our understanding of basic disease mechanisms for the benefit of both animals and humans.

Recent research has been directed at identifying hormonal factors produced by cancer cells that result in life-threatening elevations in the blood calcium concentration that complicate the medical management of certain types of cancer. These studies, along with those reported in the literature, have identified the principal factor produced by cancer cells to be a new hormone, designated parathyroid hormone-related protein, and have shown that the gene for this hormone also is expressed in many normal tissues. Current research and collaboration with several faculty and graduate students in the College of Veterinary Medicine is directed at clarifying the physiologic role of this new hormone in normal tissues.

A second focus of my current research, in collaboration with faculty in the College of Medicine and Public Health, is utilizing genetically engineered mice to investigate the role of a specific oncogene in the development of the most important type of thyroid cancer in human patients.

In conclusion, my sincere thanks to members of the Board of Trustees, President Kirwan, and Provost Ray for this distinct honor. Thank you.

Provost Ray:

I'm pleased to invite Professor Bruce Bursten, chair of the Department of Chemistry and also a Distinguished University Professor himself, to say a few words about Professor Platz.

Professor Bruce E. Bursten:

Thank you, Provost Ray, President Kirwan, and Board members. As chair of the Department of Chemistry, it is a thrill for me to see my friend and colleague, Professor Matthew Platz, named as Distinguished University Professor.

This quarter, Matt is completing his twenty-third year as a faculty member at Ohio State. He has spent his entire academic career here, starting as a fresh assistant professor. Matt is truly a shining light at Ohio State, one who has committed himself to the pursuit of excellence at all levels of his activity.

PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS (contd)

Professor Bursten: (contd)

As a scholar, Matt has garnered recognition as one of the most preeminent physical organic chemists in the world. His research is at the most basic, fundamental, intellectually challenging level possible, but it also has applications. Matt has developed the tools to investigate in great detail the basic behavior of electrons in small organic molecules. The methodologies he has developed are now finding applications in medical research, particularly in the screening of blood for HIV.

In recognition of his manifold contributions to research, he has been named a recipient of the Arthur Cope Scholar Award of the American Chemical Society, a national award that he will receive later this year in Chicago.

In addition to his wonderful contributions in research, Matt excels as a teacher at all levels, and has been a recipient of the student-selected Colleges of the Arts and Sciences' Outstanding Teaching Award, an award selected entirely by undergraduate students. Even more remarkable in his teaching activities, while he was department chair, he taught at Centennial High School on a voluntary basis, trying to improve the level of chemistry instruction at one of our Columbus public high schools.

Finally, Matt's selfless commitment to excellence at our University is exemplified by his many years of service as department chair. Under his stewardship, the department experienced unprecedented growth that culminated in our receiving a Selective Investment Award for our department.

In all that he does, Matt is a paragon of excellence. I am privileged to be here today for this ceremony. Thank you.

Professor Ray:

Thank you, Bruce. Now let me call on Professor Platz to address the Board.

Professor Matthew S. Platz:

Thank you very much, Bruce, Provost Ray, President Kirwan, and ladies and gentlemen of the Board. Good morning and thank you for bestowing the honor of a Distinguished University Professorship upon me.

Like my department chair, my dean, Bob Gold, and Provost Ray, I am an individual who has chosen to spend his entire adult life and professional career at The Ohio State University, and, of course, I've never regretted that. I have brought passion into my research, my teaching, and my service to make this University the best university it could possibly be, and to be a university that all of us could be proud of.

It's been a source of great pleasure to me over the last few years to see the University improve and particularly to see the aspirations of the University rise. There's no greater satisfaction or gratification that I can have than to know that my efforts on behalf of the University have been deemed both useful and valuable. Thank you very much.

I would like to tell you a little about my research. I'm an organic chemist. My specialty is the study of the interaction of organic molecules with radiation, particularly ultraviolet and visible radiation.

PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS (contd)

Professor Platz: (contd)

Organic molecules when they absorb radiation often explode making pieces or shrapnel, small molecules which exist for only a few billionths of a second. For years, I've been fascinated by these small reactive fleeting molecules and I wanted to develop methods to observe them directly, to measure their lifetimes, and to study their reactivity.

Why have I chosen to do this? I'll make a confession -- I love the molecules, I love the questions, and I want to know the answers – curiosity. In this era of tight and short-sighted budgets, and what-have-you-done-for-me-lately scholarships, we have to defend curiosity. We have to say, "Why was this worth doing?"

I can give you the general answers that scientists always give. We create knowledge that is used by others to solve practical problems. The knowledge we've created is used by companies to make suntan lotions, or initiate polymerization reactions, or to synthesize new pharmaceuticals. The students that we educate go on to become leaders in colleges and universities, and they go on to work for companies, often in Ohio, to create the wealth that improves the University. You've gotten used to hearing those answers from scientists. They're true, but we use them all the time. So let me try to give you a more specific, concrete example.

I'll tell you about an undergraduate student of mine who did curiosity-driven research in the 1980s. He received his bachelor's degree at Ohio State, went to Cal-Tech to get his Ph.D., and then decided to spend his career in the blood products industry. Then, as now, blood products have been challenged, threatened by the HIV virus, the hepatitis virus, and the parasitic organisms that cause malaria and Chagas' disease around the world. Ray remembered his photochemistry from Ohio State University and recruited me to help him develop technology that would sterilize and clean the blood to make plasma proteins, platelets, and red cells safe in transfusion medicine.

I'm happy to tell you that we've had great success with vitamins and light. We hope that within two or three years this technology will be used widely around the world, particularly in poor developing countries where the blood supply is in terrible shape. Stimulated by Ray's discoveries and our collaboration, I've contacted Mike Caliguiri of the OSU Cancer Center to see how we could apply this technology to the field of cancer.

Eighty percent of the people in this room right now are infected with a virus called Epstein-Barr virus. Don't worry it's not going to make you sick, your immune system keeps it under control unless or until you need an organ transplant. At that point, you'll be given drugs to suppress your immune system. Unfortunately the virus wakes up and it's out of control, cannot be controlled by the immune system and cancers break out. Many candidates for organ transplantation come down with cancer, die, and, of course, never receive the life-extending organ that they need.

Hopefully, as I speak, my students and Mike's students today are working together at The James and in the chemistry department to try to develop this vitamin photochemistry therapy to try to kill cells infected with this virus, and, therefore, stimulate the immune system and vaccinate organ transplant candidates against cancer. Hopefully this can show you some of the benefits of curiosity-driven research, which I've been very proud and passionate about pursuing.

Once again, thank you for the title of Distinguished University Professor.

PRESENTATION OF DISTINGUISHED UNIVERSITY PROFESSORS (contd)

Mr. Brennan:

On behalf of the entire Board of Trustees, I congratulate and thank you both. I think one of the highlights of my years on the Board is when our Distinguished Professors come forth to be recognized. You represent, by example, the excellence that we seek for the entire campus. We're honored that you're with us, we're humbled by what you do, and we thank you.

Any comments or other questions from the Trustees? Again, our heartiest congratulations. Thank you very much.

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CONSENT AGENDA

President William E. Kirwan:

We have 18 resolutions on the Consent Agenda today and unless there are any objections, I would like to recommend these for the Board's approval:

AMENDMENTS TO COMMITTEE APPOINTMENTS FOR 2001-2002

Resolution No. 2001-135

BE IT RESOLVED, That the appointments to committees and representatives to various Boards for 2001-2002 be amended as follows:

Student & Educational Affairs Committee:

Robert M. Duncan, Chair
Tami Longaberger, Vice Chair
Daniel M. Slane
Kevin R. Filiatraut
Joseph A. Shultz

Student Advising Ad Hoc Committee:

Tami Longaberger, Chair
Robert M. Duncan, Vice Chair
Joseph A. Shultz

Employee Education Ad Hoc Committee:

James F. Patterson, Chair
Dimon McFerson, Vice Chair
Jo Ann Davidson

Fiscal Affairs Committee:

James F. Patterson, Chair
Karen L. Hendricks, Vice Chair
Dimon R. McFerson
Zuheir Sofia
Jo Ann Davidson

Planning Ad Hoc Committee:

Karen Hendricks, Chair
Dimon McFerson, Vice Chair

Athletics Ad Hoc Committee:

Daniel M. Slane, Chair
Karen Hendricks, Vice Chair
James F. Patterson

Investments Committee:

Zuheir Sofia, Chair
Karen Hendricks, Vice Chair
Robert M. Duncan
Jo Ann Davidson
John Gerlach, Jr., (Foundation Board)
Ex Officio
William Ingram III (Foundation Board)
Ex Officio

Agricultural Affairs Committee:

James F. Patterson, Chair
Fred L. Dailey, Vice Chair, Ex Officio
Tami Longaberger
Dimon R. McFerson
Joseph A. Shultz

Outreach & Engagement Committee:

Tami Longaberger, Chair
Daniel M. Slane, Vice Chair
Karen L. Hendricks
Kevin R. Filiatraut
Dan Heinlen, Ex Officio

Distance Learning Ad Hoc Committee:

Daniel M. Slane, Chair
Tami Longaberger, Vice Chair
Zuheir Sofia
Kevin R. Filiatraut
Ted Celeste, Ex-Officio

AMENDMENTS TO COMMITTEE APPOINTMENTS FOR 2001-2002 (contd)

Government Relations Committee:

David L. Brennan, Chair
James F. Patterson, Vice Chair
Daniel M. Slane
Robert M. Duncan
Jo Ann Davidson
Michael F. Colley, Ex Officio
William Blair, Ex Officio
Stan Aronoff, Ex Officio

Affiliated Entities Committee:

Dimon R. McFerson, Chair
Robert M. Duncan, Vice Chair
Karen Hendricks
Kevin R. Filiatraut

Personnel Committee:

David L. Brennan, Chair
James F. Patterson, Vice Chair
Zuheir Sofia

Regional Campus Boards:

Lima - Jo Ann Davidson
Mansfield - James F. Patterson
Marion - Dimon R. McFerson
Newark - Daniel M. Slane

**The Arthur G. James Cancer Hospital
and Research Institute Board:**

Zuheir Sofia, Chair
Daniel M. Slane

University Hospitals Board:

Zuheir Sofia
Daniel M. Slane

CAMPUS PARTNERS BOARD:

DIMON R. MCFERSON

Research Foundation Board of Directors:

Karen L. Hendricks

**Science and Technology Campus
Board of Directors:**

Robert M. Duncan

**University Managed Health Care System,
Inc., Board of Directors:**

Robert M. Duncan

**University Foundation Ex Officio
Class of Directors:**

James F. Patterson (1 year)
Tamala Longaberger (2 years)
Zuheir Sofia (3 years)

Wexner Center Foundation Board:

Leslie H. Wexner (2002)
Jo Ann Davidson

**AMENDMENTS TO THE BYLAWS OF THE ARTHUR G. JAMES CANCER HOSPITAL
AND RICHARD J. SOLOVE RESEARCH INSTITUTE BOARD**

Resolution No. 2001-136

Synopsis: The amendments to *The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board Bylaws* are recommended for approval.

WHEREAS pursuant to bylaw 3335-109-20 of *The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board Bylaws*, the bylaws may be amended by The Ohio State University Board of Trustees; and

WHEREAS these amendments to *The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board Bylaws* have been endorsed and ratified by The Arthur G. James Cancer Hospital and and Richard J. Solove Research Institute Board, as follows:

Amended Bylaw

3335-109-01 General.

- (A) The body with ultimate responsibility to the Ohio state university board of trustees (hereinafter referred to as "university board") for establishing policy, maintaining quality patient care, and providing for organization management and planning within the Arthur G.

**AMENDMENTS TO THE BYLAWS OF THE ARTHUR G. JAMES CANCER HOSPITAL
AND RICHARD J. SOLOVE RESEARCH INSTITUTE BOARD (contd)**

James cancer hospital and Richard J. Solove research institute (hereinafter referred to as "CHRI") shall be the Arthur G. James cancer hospital and Richard J. Solove research institute board (hereinafter referred to as "board").

(1) The board shall be composed of:

(a) through (h) unchanged.

(i) THE PRESIDENT OF THE ARTHUR G. JAMES CANCER HOSPITAL AND
RICHARD J. SOLOVE RESEARCH FOUNDATION.

NOW THEREFORE

BE IT RESOLVED, That the foregoing amendments to *The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board Bylaws* be adopted as recommended by The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board, effective immediately.

REGIONAL CAMPUS BOARD APPOINTMENTS/REAPPOINTMENT

Resolution No. 2001-137

Synopsis: Approval of appointments/reappointment to The Ohio State University-Mansfield Campus Board and The Ohio State University-Marion Campus Board are proposed.

WHEREAS the Board of Trustees on June 3, 1994 and July 8, 1994 respectively, approved the establishment of The Ohio State University-Mansfield Board and The Ohio State University-Marion Board; and

WHEREAS it has been previously stipulated that "the board shall be composed of eleven members appointed by The Ohio State University Board of Trustees in consultation with the president of the university" (one member of the board shall be a member of the university board of trustees; nine members shall be private citizens; and one member shall be a student); and

WHEREAS the following named persons have been nominated and selected for appointments/reappointment to the following Regional Campus Boards for the terms as specified:

Mansfield Board Appointments

David L. Carto, 1-year term
Shelley G. Fisher, 3-year term
Timothy J. Lehman, 3-year term
Kevin P. Nestor, 3-year term
Natalie A. Heydinger, 1-year term (student appointment)

Marion Board Appointments/Reappointment

Douglas W. Brown, 3-year term
Janet P. Pry, 3-year term
Carrol Heimlich, Jr., 1-year term (student appointment)
Deborah Martin, 3-year term (reappointment)

NOW THEREFORE

BE IT RESOLVED, That the foregoing nominees be approved as members of The Ohio State University-Mansfield and Marion Boards, effective July 1, 2001.

**OSU STUDENT HEALTH INSURANCE PROGRAM
PLAN FOR 2001-2002**

Resolution No. 2001-138

Synopsis: The OSU Student Health Insurance Program Plan for 2001-2002, is proposed.

WHEREAS on June 2, 2000, this Board awarded the student medical insurance program contract to Koster Insurance Agency, following a competitive bid process, and renewed with Vision Service Plan and Delta Dental of Ohio for respective coverage effective Autumn Term 2000, subject to renewal thereafter; and

WHEREAS the University has the opportunity to seek renewal of the program with the current carriers or competitively bid the insurance program; and

WHEREAS the current carriers Koster Insurance Agency and Delta Dental of Ohio, have offered renewal rates that are very competitive in the insurance market and appropriate to our history of claims experience; and

WHEREAS after consideration of the expressed needs and concerns of the students who purchase the insurance, the OSU Student Health Insurance Committee has recommended – and the Council on Student Affairs has ratified that recommendation – keeping Koster Insurance Agency as the underwriter and administrator of the commercially insured PPO portion of the plan for one year and Delta Dental of Ohio the insurer of the dental portion of the plan for one year (Vision Service Plan will be in year two of a two-year agreement) at the specific rates to provide existing benefits plus benefit/service changes to include:

1. Improving the pharmacy benefit by allowing dependents (spouse & children) to have prescription drugs filled at the Student Health Center under the current insured benefit plan. Individuals will only pay the appropriate coinsurance amount at the time the prescription is filled and the remainder will be billed to Koster.
2. Adding periodontal services to the dental benefit.
3. Implementing the more stringent enrollment eligibility requirements approved as a plan recommendation last year (6 credit hours for undergraduate students and 5 credit hours for graduate/professional student). Exemption to these minimum credit hour requirements will be granted to the following student groups: 1) CO-OP and professional practice students, 2) students engaged in internships and field work; 3) travel abroad students; and 4) graduate students engaged in continuing research for thesis or dissertation.
4. Modifying the plan year effective dates so that the Plan Year begins seven (7) days prior to the start of Autumn 2001 (semester and quarter) and ends seven (7) days prior to the start of the next school year.

WHEREAS this plan is fully funded by student premiums and will be available on an optional basis to eligible OSU students for the following proposed **quarterly** premium rates:

Comprehensive Plan Rates (includes vision and improved dental benefits)

Student Only	\$ 251.00 per quarter	(\$ 83.67/month)	rate ↑ = 6.36%
+ Spouse	\$ 642.00 per quarter	(\$ 214.00/month)	rate ↑ = 6.47%
+ Children	\$ 647.00 per quarter	(\$ 215.67/month)	rate ↑ = 6.41%
+ Family	\$ 867.00 per quarter	(\$ 289.00/month)	rate ↑ = 6.38%

**OSU STUDENT HEALTH INSURANCE PROGRAM
PLAN FOR 2001-2002 (contd)**

Medical ONLY Plan Rates (no vision or dental benefits)

Student Only	\$ 233.00 per quarter	(\$ 77.67/month)	rate ↑ = 5.43%
+ Spouse	\$ 596.00 per quarter	(\$198.67/month)	rate ↑ = 5.49%
+ Children	\$ 601.00 per quarter	(\$200.34/month)	rate ↑ = 5.62%
+ Family	\$ 805.00 per quarter	(\$268.34/month)	rate ↑ = 5.37%

Comparable insurance rates will be charged to students on the semester system.

NOW THEREFORE

BE IT RESOLVED, That Koster Insurance Agency and Delta Dental of Ohio be awarded the OSU Student Health Insurance Program contracts effective Autumn Term 2001, for a period of one (1) contract year. The contracts will provide the benefits/services now available under the terms of the 2000-2001 contract together with the aforementioned benefit/service changes.

**AMENDMENTS TO THE RULES OF THE UNIVERSITY FACULTY
AND BYLAWS OF THE UNIVERSITY SENATE**

Resolution No. 2001-139

Synopsis: Approval of the following amendments to the *Rules of the University Faculty* and *Bylaws of the University Senate* are recommended.

WHEREAS the University Senate pursuant to rule 3335-1-09 of the Administrative Code is authorized to recommend through the President to the Board of Trustees the adoption of amendments to the *Rules of the University Faculty* and *Bylaws of the University Senate* as approved by the University Senate; and

WHEREAS the proposed changes in the *Rules of the University Faculty* and *Bylaws of the University Senate* were approved by the University Senate on May 5, 2001:

New Rule

3335-3-37 ALTERATION OR ABOLITION OF UNITS.

(A) DEFINITIONS.

- (1) THE TERM UNIT REFERS TO DEPARTMENTS, SCHOOLS AND COLLEGES.
- (2) FOR PURPOSES OF THIS RULE, THE TERM ALTERATION SHALL REFER TO THE CONSOLIDATION OR RECONFIGURATION OF UNITS. CONSOLIDATION SHALL REFER TO THE COMBINING OF TWO OR MORE UNITS, WITH LITTLE OR NO ADDITIONAL CHANGE. RECONFIGURATION SHALL REFER TO THE BREAKING APART OF EXISTING UNITS AND THEIR ACADEMIC PROGRAMS AND RECOMBINING THE FACULTY AND PROGRAMS INTO NEW UNITS.
- (3) FOR THE PURPOSES OF THIS RULE, THE TERM ABOLITION SHALL REFER TO THE COMPLETE ELIMINATION OF A UNIT AND THE ACADEMIC PROGRAMS IT PROVIDED.
- (4) ALTERATION OR ABOLITION DESCRIBED HEREIN MAY BE INITIATED WITHOUT A DECLARATION OF FINANCIAL EXIGENCY.

**AMENDMENTS TO THE RULES OF THE UNIVERSITY FACULTY
AND BYLAWS OF THE UNIVERSITY SENATE (contd)**

(B) PROCEDURE FOR ALTERATION OR ABOLITION OF DEPARTMENTS AND SCHOOLS.

(1) A PROPOSAL TO ALTER OR ABOLISH A UNIT MAY BE INITIATED BY ANY OF THE FOLLOWING:

(a) THE DEAN OF THE COLLEGE ADMINISTRATIVELY RESPONSIBLE FOR THE UNIT(S) FOR WHICH ALTERATION OR ABOLITION IS PROPOSED.

(b) THE EXECUTIVE VICE PRESIDENT AND PROVOST.

(c) THE COUNCIL ON ACADEMIC AFFAIRS, OR

(d) FACULTY FROM THE AFFECTED UNIT(S).

(2) A PROPOSAL FOR ALTERATION OR ABOLITION OF A UNIT MUST INCLUDE AN ANALYSIS WITH THE FOLLOWING ELEMENTS. IT SHALL BE THE RESPONSIBILITY OF THE PARTY MAKING THE PROPOSAL TO PROVIDE THIS ANALYSIS.

(a) A RATIONALE FOR ALTERATION OR ABOLITION OF THE UNIT WHICH INCLUDES A HISTORY OF THE FORMATION, ACTIVITIES AND EVALUATION OF THE PERFORMANCE OF THE UNIT.

(b) AN ENUMERATION OF ALL FACULTY AFFECTED BY THE ALTERATION OR ABOLITION OF THE UNIT.

(c) A PERSON-BY-PERSON ANALYSIS OF THE PROPOSED REASSIGNMENT OR OTHER ACCOMMODATION OF THE FACULTY IDENTIFIED IN PARAGRAPH (B)(2)(b) OF THIS RULE, INCLUDING A STATEMENT OF THE IMPACT ON PROMOTION AND TENURE. NO TENURED FACULTY MEMBER SHALL BE INVOLUNTARILY TERMINATED AS A RESULT OF THIS PROCESS. HOWEVER, FACULTY MAY BE TRANSFERRED TO ANOTHER UNIT IN ACCORDANCE WITH PARAGRAPH (C)(2) OF RULE 3335-47-06 OF THE ADMINISTRATIVE CODE AND WITH REGARD TO THE TEACHING, RESEARCH, AND SERVICE EXPERTISE OF THE INDIVIDUAL.

(d) AN ANALYSIS OF THE ACADEMIC COURSES NOW TAUGHT BY THE UNIT AND PROVISIONS FOR THEIR REASSIGNMENT TO OTHER UNITS, IF RELEVANT.

(e) AN ANALYSIS OF THE STUDENTS AFFECTED BY THE PROPOSAL, INCLUDING MAJORS, NON-MAJORS, PROFESSIONAL AND GRADUATE STUDENTS.

(f) SPECIFIC PROPOSALS REGARDING SUPPORT FOR CURRENTLY ENROLLED STUDENTS UNTIL DEGREE COMPLETION.

(g) AN ANALYSIS OF THE BUDGETARY CONSEQUENCES TO ALL RELEVANT UNITS AS A CONSEQUENCE OF THE PROPOSAL.

(h) AN ANALYSIS OF THE SERVICES LOST TO THE REST OF THE UNIVERSITY AS A CONSEQUENCE OF THE PROPOSAL.

(i) AN ANALYSIS OF IMPACT ON CONSTITUENCIES EXTERNAL TO THE UNIVERSITY, INCLUDING ALUMNI.

(j) AN ANALYSIS OF THE IMPACT ON GOVERNANCE AT ALL RELEVANT LEVELS AS A CONSEQUENCE OF THE PROPOSAL.

(k) AN ANALYSIS OF THE IMPACT UPON DIVERSITY.

**AMENDMENTS TO THE RULES OF THE UNIVERSITY FACULTY
AND BYLAWS OF THE UNIVERSITY SENATE (contd)**

- (I) AN ANALYSIS OF THE IMPACT ON THE ACADEMIC FREEDOM AND RESPONSIBILITY OF ALL AFFECTED FACULTY.
- (3) THE PROPOSAL MUST BE DISCUSSED WITH AFFECTED FACULTY, STUDENTS, AND STAFF, WHO MAY PROVIDE WRITTEN AND VERBAL FEEDBACK. THE PROPOSAL MAY BE MODIFIED BY THE PROPOSAL'S INITIATOR IN RESPONSE TO FEEDBACK. FOLLOWING A THOROUGH CONSULTATIVE PROCESS WITH AFFECTED FACULTY, STUDENTS, STAFF, AND OTHERS AS APPROPRIATE, THE COLLEGE FACULTY SHALL VOTE ON THE PROPOSAL. THE PROPOSAL, ALONG WITH THE NUMERICAL VOTE OF THE COLLEGE FACULTY, SHALL THEN BE FORWARDED TO THE COUNCIL ON ACADEMIC AFFAIRS.
- (4) THE PROPOSAL WILL BE JUDGED BY THE ASSESSMENT PARAMETERS DEVELOPED BY THE COUNCIL ON ACADEMIC AFFAIRS AND PUBLISHED IN ITS GUIDELINES. THE COUNCIL ON ACADEMIC AFFAIRS WILL REVIEW THE PROPOSAL AND WILL ALSO EVALUATE THE CONSULTATION PROCESS. IT WILL THEN RETURN THE PROPOSAL TO THE INITIATOR FOR ADDITIONAL WORK IF THE PROPOSAL OR THE CONSULTATION HAS BEEN JUDGED INADEQUATE, OR APPROVE THE PROPOSAL AND SEND IT TO THE UNIVERSITY SENATE FOR CONSIDERATION, OR DISAPPROVE THE PROPOSAL, WHICH ENDS THE PROCESS.
- (5) IF THE COUNCIL ON ACADEMIC AFFAIRS APPROVES THE PROPOSAL, A MEMORANDUM OF UNDERSTANDING WILL BE DEVELOPED AND SIGNED BY ALL RELEVANT PARTIES.
- (6) THE UNIVERSITY SENATE SHALL VOTE ON THE PROPOSAL. IF IT APPROVES THE PROPOSAL, THE RECOMMENDATION SHALL BE FORWARDED TO THE PRESIDENT. A NEGATIVE VOTE ENDS THE PROCESS.
- (7) THE PRESIDENT SHALL REVIEW THE PROPOSAL. IF IN FAVOR, THE PRESIDENT WILL FORWARD IT TO THE BOARD OF TRUSTEES. IF THE BOARD OF TRUSTEES APPROVES THE PROPOSAL, THEN THE EXECUTIVE VICE PRESIDENT AND PROVOST WILL APPOINT AN OVERSIGHT COMMITTEE TO MONITOR THE IMPLEMENTATION OF THE ~~PROCESS~~. THE CHAIR OF FACULTY COUNCIL OR DESIGNEE; THE SECRETARY OF THE FACULTY; ONE MEMBER OF THE COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY; AND THREE MEMBERS OF FACULTY COUNCIL SHALL BE APPOINTED TO THE OVERSIGHT COMMITTEE, THE PURPOSE OF WHICH IS TO SAFEGUARD THE INTERESTS OF AFFECTED FACULTY, STUDENTS, AND STAFF. THROUGH THE CHAIR OF FACULTY COUNCIL, THE OVERSIGHT COMMITTEE WILL PERIODICALLY REPORT TO THE UNIVERSITY SENATE, REVIEW AND ASSESS OUTCOMES, SUGGEST CHANGES WHERE TARGETS ARE NOT BEING MET, AND ASSURE THAT THE MEMORANDUM OF UNDERSTANDING IS UPHELD. THE OVERSIGHT COMMITTEE WILL PRESENT A FINAL REPORT TO THE SENATE.
- (C) PROCEDURE FOR ALTERATION OR ABOLITION OF COLLEGES.
- (1) THE COUNCIL ON ACADEMIC AFFAIRS, THE EXECUTIVE VICE PRESIDENT AND PROVOST, THE DEAN, OR FACULTY FROM THE AFFECTED UNIT MAY INITIATE A PROPOSAL TO ALTER OR ABOLISH A COLLEGE.
- (2) A PROPOSAL FOR ALTERATION AND ABOLITION OF A COLLEGE MUST INCLUDE AN ANALYSIS WITH ALL OF THE ELEMENTS OUTLINED IN PARAGRAPH (B)(2) OF THIS RULE. IT SHALL BE THE RESPONSIBILITY OF THE PARTY MAKING THE PROPOSAL TO PROVIDE THIS ANALYSIS.

**AMENDMENTS TO THE RULES OF THE UNIVERSITY FACULTY
AND BYLAWS OF THE UNIVERSITY SENATE (contd)**

- (3) THE COUNCIL ON ACADEMIC AFFAIRS SHALL APPOINT AN AD HOC COMMITTEE TO EVALUATE THE PROPOSAL. THE AD HOC COMMITTEE SHALL HAVE A MAJORITY OF REGULAR FACULTY. THE CHARGE TO THE AD HOC COMMITTEE AND THE COMPOSITION OF THAT COMMITTEE MUST BE AGREED UPON BY THE COUNCIL ON ACADEMIC AFFAIRS, THE EXECUTIVE COMMITTEE OF FACULTY COUNCIL, AND THE EXECUTIVE VICE PRESIDENT AND PROVOST.
- (4) THE AD HOC COMMITTEE SHALL EVALUATE THE PROPOSAL, WHICH WILL INCLUDE EXTENSIVE CONSULTATION WITH AFFECTED FACULTY, STUDENTS, AND STAFF, AND RELEVANT PARTIES EXTERNAL TO THE UNIVERSITY.
- (3) (5) THE RECOMMENDATION OF THE AD HOC COMMITTEE WILL BE FORWARDED TO THE COUNCIL ON ACADEMIC AFFAIRS AND THE EXECUTIVE VICE PRESIDENT AND PROVOST.
- (6) PRIOR TO ACCEPTING OR REJECTING THE AD HOC COMMITTEE'S RECOMMENDATION, THE COUNCIL ON ACADEMIC AFFAIRS WILL CONSULT WITH FACULTY COUNCIL AND THE EXECUTIVE VICE PRESIDENT AND PROVOST. THE FACULTY COUNCIL RESPONSE, INCLUDING ITS VOTE, AND A LETTER OF RECOMMENDATION FROM THE EXECUTIVE VICE PRESIDENT AND PROVOST SHALL BE CONSIDERED BY THE COUNCIL ON ACADEMIC AFFAIRS. THE COUNCIL ON ACADEMIC AFFAIRS WILL THEN EITHER TERMINATE THE PROCESS OR FORWARD ITS POSITIVE RECOMMENDATION TO THE UNIVERSITY SENATE.
- (7) IF THE COUNCIL ON ACADEMIC AFFAIRS APPROVES THE PROPOSAL, A MEMORANDUM OF UNDERSTANDING WILL BE DEVELOPED AND SIGNED BY ALL RELEVANT PARTIES.
- (8) THE UNIVERSITY SENATE SHALL VOTE ON THE PROPOSAL. IF IT APPROVES THE PROPOSAL, THE RECOMMENDATION SHALL BE FORWARDED TO THE PRESIDENT. A NEGATIVE VOTE ENDS THE PROCESS.
- (9) THE PRESIDENT SHALL REVIEW THE PROPOSAL. IF IN FAVOR, THE PRESIDENT SHALL FORWARD IT TO THE BOARD OF TRUSTEES. IF THE BOARD OF TRUSTEES APPROVES THE PROPOSAL, THEN THE EXECUTIVE VICE PRESIDENT AND PROVOST WILL APPOINT AN OVERSIGHT COMMITTEE TO MONITOR THE IMPLEMENTATION OF THE PROCESS. THE CHAIR OF FACULTY COUNCIL OR DESIGNEE; THE SECRETARY OF THE FACULTY; ONE MEMBER OF THE COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY; AND THREE MEMBERS OF FACULTY COUNCIL SHALL BE APPOINTED TO THE OVERSIGHT COMMITTEE, THE PURPOSE OF WHICH IS TO SAFEGUARD THE INTERESTS OF AFFECTED FACULTY, STUDENTS, AND STAFF. THROUGH THE CHAIR OF FACULTY COUNCIL, THE OVERSIGHT COMMITTEE WILL PERIODICALLY REPORT TO THE UNIVERSITY SENATE, REVIEW AND ASSESS OUTCOMES, SUGGEST CHANGES WHERE TARGETS ARE NOT BEING MET, AND ASSURE THAT THE MEMORANDUM OF UNDERSTANDING IS UPHELD. THE OVERSIGHT COMMITTEE WILL PRESENT A FINAL REPORT TO THE SENATE.

Amended Rule

3335-5-05 Procedures concerning faculty complaints about promotion, tenure and renewal decisions.

(A) Definitions and construction.

- (1) ~~When presenting a complaint to the committee on academic freedom and responsibility, a faculty member (hereinafter "complainant") must first present evidence~~

**AMENDMENTS TO THE RULES OF THE UNIVERSITY FACULTY
AND BYLAWS OF THE UNIVERSITY SENATE (contd)**

~~of having made a reasonable effort to resolve the grievance by informal methods (or formal methods if they exist) in both the department and the college.~~ Complaints concerning promotion, tenure, or renewal decisions may be made TO THE COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY by tenured or probationary faculty.

(2) through (6) unchanged.

Balance unchanged.

Amended Senate Bylaws

3335-19-02 Meetings.

- (A) Regular meetings of the senate shall be held ~~on Saturday mornings~~ during the autumn, winter, and spring quarters. In the spring quarter each year the program committee shall recommend and the senate shall adopt and publish the schedule of regular meetings for the following academic year. This schedule shall include at least seven meetings spread over the academic year. Scheduled meetings may be cancelled by the program committee when deemed appropriate.

Balance unchanged.

3335-19-07 Proposals for senate action.

(A) through (E) unchanged.

- (F) ~~Following~~ PRIOR TO A senate approval, VOTE a proposal that establishes or alters rules or bylaws within the senate's purview shall be reviewed by the rules committee, ~~and returned to the senate for final approval~~ WHICH MAY RECOMMEND CHANGES in accordance with paragraph (B)(4) of rule 3335-5-473 of the Administrative Code.

NOW THEREFORE

BE IT RESOLVED, That the foregoing amendments to the *Rules of the University Faculty* and *Bylaws of the University Senate* be adopted as recommended by the University Senate.

AMENDMENTS TO THE CLASSIFIED CIVIL SERVICE RULES

Resolution No. 2001-140

Synopsis: Amendments to the *Classified Civil Service Rules*, Chapters 3335-49 to 3335-89, of the Administrative Code, are proposed.

WHEREAS the University is empowered to promulgate rules to govern the operations of the employees in the Classified Civil Service; and

WHEREAS the University has not revised the *Classified Civil Service Rules* since 1997 and a number of changes in state laws have occurred since that time; and

WHEREAS amendments to the *Classified Civil Service Rules* are proposed to be in compliance with current state and federal laws and to enable University initiatives and improvements in efficiency to be implemented; and

AMENDMENTS TO THE *CLASSIFIED CIVIL SERVICE RULES* (contd)

WHEREAS the University has complied with section 111.15 of the Revised Code in promulgating the *Classified Civil Service Rules* and it additionally has provided reasonable notice to all affected University employees and interested groups and a period of time during which such employees or interested groups could submit comments about the proposed amendments to the *Classified Civil Service Rules*:

NOW THEREFORE

BE IT RESOLVED, That the amendments to Chapters 3335-49 to 3335-89 of the Administrative Code are hereby approved at the University for implementation, effective June 22, 2001.

(See Appendix XLI for the amended Classified Civil Service Rules, page 1017).

**AMENDMENTS TO THE *RULES OF THE
INTRAMURAL DENTAL PRACTICE PLAN***

Resolution No. 2001-141

Synopsis: Amendments to the *Rules of the Intramural Dental Practice Plan* is proposed.

WHEREAS the Board of Trustees on July 1, 1982, approved the establishment of the College of Dentistry Intramural Practice Plan; and

WHEREAS the dean of the College of Dentistry, in consultation with the dentistry faculty and appropriate University officials, recommends the amendments to the current College of Dentistry Intramural Dental Practice Plan, as outlined below; and

WHEREAS pursuant to rule 3335-1-09 of the Administrative Code, the Board of Trustees approves the proposed changes as follows:

Amended Rules

3335-107-01 Introduction.

The Ohio state university college of dentistry, recognizing that the intramural practice plan of dentistry by all full-time members of the faculty of the college of dentistry who are licensed to practice dentistry in the state of Ohio will serve to enhance the teaching, research and patient care missions of the college, hereby grants to each member the privilege of conducting such intramural practice subject to the terms and conditions incorporated into this practice plan. All persons beginning service as full-time faculty members at the Ohio state university on July 1, 1982, and thereafter, shall be subject to this plan as a condition of their employment at the Ohio state university, and all persons who began service as a full-time faculty member prior to July 1, 1982, shall have the opportunity to join this practice plan and, UPON JOINING THE PLAN, COMPLIANCE WITH THE TERMS OF THIS PLAN shall then be A condition of their employment at the Ohio state university.

3335-107-02 Definitions.

For purposes of THESE rules ~~3335-107-01 to 3335-107-05 of the Administrative Code:~~

- (A) "Full-time faculty member" shall mean a member of the faculty of the ~~Ohio state university college of dentistry~~ who is appointed to the college on an appointment requiring one hundred per cent service to the university OR A PERSON WHO HOLDS AN APPOINTMENT TO THE TITLE OF "EMERITUS FACULTY" AS THAT TERM IS DEFINED BY PARAGRAPH (D) OF RULE ~~3335-5-19~~ OF THE ADMINISTRATIVE CODE WHO, AT THE TIME OF SUCH APPOINTMENT, WAS REQUIRED TO PROVIDE ONE HUNDRED PER CENT SERVICE

**AMENDMENTS TO THE RULES OF THE
INTRAMURAL DENTAL PRACTICE PLAN (contd)**

TO THE UNIVERSITY. IN ORDER TO QUALIFY AS A "FULL-TIME FACULTY MEMBER," AN INDIVIDUAL SHALL BE CURRENTLY LICENSED TO PRACTICE DENTISTRY IN THE STATE OF OHIO.

- (B) "Salary" shall mean the individual faculty member's base salary ~~specified in the annual notice of appointment issued by the Ohio state~~ PAID BY THE university.
- (C) "Practice income" shall mean total receipts (AFTER DEDUCTIONS FOR EXPENSES AND COSTS MADE IN ACCORDANCE WITH THESE RULES) from patient care fees generated by a full-time faculty member covered under this plan from the performance of patient care services.
- (D) "College" shall mean the Ohio state university college of dentistry.
- (E) "Dean" shall mean the dean of the Ohio state university college of dentistry.
- (F) "University" shall mean the Ohio state university.
- (G) "DENTAL FACULTY PRACTICE" SHALL MEAN THE PROVISION OF DENTAL SERVICES TO PRIVATE PRACTICE PATIENTS BY FACULTY MEMBERS EMPLOYED BY THE DENTAL PRACTICE GROUP AT POSTLE HALL, THE OHIO STATE UNIVERSITY HOSPITALS AND CLINICS, THE ARTHUR G. JAMES CANCER HOSPITAL AND RICHARD J. SOLOVE RESEARCH INSTITUTE, CHILDREN'S HOSPITAL OR OTHER SITES AUTHORIZED BY THE DENTAL PRACTICE GROUP.

3335-107-03 Operational procedures.

- (A) Practice time.

All ~~EACH~~ full-time faculty ~~members~~ MEMBER of the college who are licensed to practice dentistry in the state of Ohio will be permitted to practice up to an average of one day per week within the Ohio state university DENTAL FACULTY PRACTICE in accordance with the policies and procedures regarding outside professional services as adopted by the university. No other practice by a full-time faculty member outside the university DENTAL FACULTY PRACTICE will be permitted. ~~Practice time and location will be agreed upon by the dean of the college, the individual faculty member and the chairperson of the section in which the faculty member serves.~~ THE DEAN OF THE COLLEGE AND THE DENTAL PRACTICE GROUP WILL AGREE UPON PRACTICE TIME AND LOCATION.

- (B) The college of dentistry will supply clinical facilities, AT THE LOCATION known as the "intramural DENTAL FACULTY practice clinic," where the individual FULL-TIME faculty member is to conduct his THE MEMBER'S intramural patient care practice. Such clinical facilities shall include designated practice space and fixed equipment, including a dental chair, and fixed handpieces associated therewith, laboratory equipment, and operating equipment. The college shall see that the personnel or mechanisms necessary to support the practitioner and to coordinate appointments and billings in accordance with ~~paragraph (C) of rule 3335-107-03 of the Administrative Code~~ THIS RULE are provided TO the FULL-TIME faculty member.

The ~~individual faculty member~~ DENTAL PRACTICE GROUP shall be responsible for furnishing and paying for ~~his or her own~~ specialized materials, instruments, and laboratory fees as determined by the dean.

- (C) Appointments, billings and collections.

The college shall be responsible to see that a ~~professional fee~~ BUSINESS office will be maintained as a part of this practice plan. This office shall be responsible to see that billing

**AMENDMENTS TO THE RULES OF THE
INTRAMURAL DENTAL PRACTICE PLAN (contd)**

statements are issued, fees collected, and that appropriate records of all billings and payments are maintained for all full-time faculty ~~participation~~ PARTICIPATING in this plan. ~~The records will be kept current and be open for inspection~~ INDIVIDUALS DESIGNATED by the dean of the college, section chairpersons, or any faculty member participating in this practice plan. ~~Appointment books recording~~ WILL KEEP RECORDS OF APPOINTMENTS FOR the daily private practice of the members ~~will be kept in the intramural practice clinic by individuals designated by the dean~~ FULL-TIME FACULTY MEMBERS IN THE DENTAL FACULTY PRACTICE.

These ~~books~~ RECORDS are subject to review by the dean or ~~his~~ THE DEAN'S representatives.

3335-107-04 ~~Allocation of fee income and costs~~ COSTS associated with production of fees.

~~(A) Distribution of costs.~~

The college shall maintain accurate records of the total costs (direct or indirect) incurred in university facilities to support patient care ~~practice~~ SERVICES. It is recognized that ~~these costs are appropriately shared by the Ohio state university, the college of dentistry, and the individual faculty member~~ THE DOCTOR, AND THE DENTAL PRACTICE GROUP APPROPRIATELY SHARE THESE COSTS.

~~(B) Distribution of practice income.~~

~~In addition to his or her "salary," each faculty member participating in this practice plan shall be permitted to generate practice income from his patient care activities. Practice income shall be distributed as follows:~~

- ~~(1) Fifty percent of a full-time faculty member's practice income shall be payable to the individual faculty member, subject to no further university limitations.~~
- ~~(2) A percentage of a full-time faculty member's practice income, as agreed upon by the authorized fiscal representative of the Ohio state university and the dean, shall be paid to the Ohio state university to compensate the university for the costs (direct and indirect) associated with the dental facilities provided at the university. This percentage amount shall be no less than ten percent of practice income.~~
- ~~(3) The remaining percentage of a full-time faculty member's practice income, after deducting the percentage paid pursuant to paragraphs (B) (1) and (B) (2) of rule 3335-107-04 of the Administrative Code, shall be paid to the college of dentistry to be used as determined by the dean.~~

3335-107-05 Academic program considerations.

~~(A) Patient care.~~

Every patient treated within the intramural DENTAL FACULTY practice clinic shall be assigned (or will select on the advice of a referring dentist or physician) a FULL-TIME faculty member as ~~his or her~~ THE PATIENT'S "personal dentist." The personal dentist will be responsible for the professional care of the patient. The personal dentist shall obtain the necessary consent from each of ~~his or her~~ THE PERSONAL DENTIST'S patients, such that every patient treated within the intramural DENTAL FACULTY practice clinic AND SUCH PATIENT'S RECORDS shall be available for student observation and training.

**AMENDMENTS TO THE RULES OF THE
INTRAMURAL DENTAL PRACTICE PLAN (contd)**

(B) Records.

All records pertaining to patient care, billing, appointments and collections within the ~~intramural~~ DENTAL FACULTY practice ~~clinic~~ shall be made available for student observation and training, AS LONG AS CONFIDENTIALITY IS MAINTAINED.

3335-107-06 DENTAL PRACTICE GROUP.

A DENTAL PRACTICE GROUP HAS BEEN ESTABLISHED WITH THE APPROVAL OF THE DEAN. THE DENTAL PRACTICE GROUP MAY INCLUDE ONE HUNDRED PER CENT OF THE FULL-TIME FACULTY MEMBERS. AS A CONDITION OF FACULTY EMPLOYMENT, ALL FULL-TIME FACULTY MEMBERS WHO DESIRE TO CONDUCT AN INTRAMURAL PRACTICE WILL BE REQUIRED TO BECOME AND REMAIN EMPLOYEES OF THE DENTAL PRACTICE GROUP. FULL-TIME FACULTY MEMBERS, WHO WERE EMPLOYEES OF THE DENTAL PRACTICE GROUP EXISTING ON JANUARY 5, 1998, WILL REMAIN SO OR BECOME AND REMAIN AN EMPLOYEE OF ANY PRACTICE GROUP DEEMED TO BE A SUCCESSOR OF THE EXISTING DENTAL PRACTICE GROUP. THE DEAN SHALL MAKE THE DETERMINATION OF A SUCCESSOR PRACTICE GROUP.

THE DENTAL PRACTICE GROUP SHALL CONTRACT WITH THE COLLEGE TO RENDER DENTAL SERVICES IN THE DENTAL FACULTY PRACTICE PURSUANT TO THIS PLAN AND TO ADMINISTER THE PATIENT CARE PRACTICE OF THE FULL-TIME FACULTY MEMBERS CONDUCTED PURSUANT TO THE TERMS OF THIS PLAN. THE REVENUES COLLECTED FOR THE DELIVERY OF DENTAL SERVICES BY THE DENTAL PRACTICE GROUP PURSUANT TO THIS PLAN SHALL BE DISTRIBUTED AS FOLLOWS:

(A) AN AMOUNT DETERMINED UNDER THE FACULTY MEMBER'S CONTRACT WITH THE DENTAL PRACTICE GROUP SHALL BE PAYABLE TO SUCH INDIVIDUAL FACULTY MEMBER AS COMPENSATION, SUBJECT TO NO FURTHER UNIVERSITY LIMITATIONS.

(B) A PERCENTAGE OF SUCH REVENUES, AS AGREED UPON BY THE AUTHORIZED FISCAL REPRESENTATIVE OF THE UNIVERSITY AND THE DEAN, SHALL BE SET ASIDE TO COMPENSATE THE UNIVERSITY FOR THE COSTS (DIRECT AND INDIRECT) ASSOCIATED WITH THE DENTAL FACILITIES PROVIDED AT THE UNIVERSITY. THIS PERCENTAGE AMOUNT SHALL BE NO LESS THAN TEN PER CENT OF SUCH REVENUES.

(C) THE REMAINING REVENUES, AFTER DEDUCTING THE AMOUNTS PAID PURSUANT TO PARAGRAPHS (A) AND (B) OF THIS RULE, SHALL BE RETAINED BY THE DENTAL PRACTICE GROUP TO BE USED AS DETERMINED BY THE DENTAL PRACTICE GROUP.

FULL-TIME FACULTY MEMBERS WHO HAVE CONTRACTED WITH THE DENTAL PRACTICE GROUP TO RENDER SUCH SERVICES SHALL RENDER ALL DENTISTRY SERVICES AT THE DENTAL FACULTY PRACTICE PURSUANT TO THIS PLAN. THE DEAN SHALL BE ENTITLED TO REVIEW THE DENTAL PRACTICE GROUP'S DECISION-MAKING PROCESS AND GOVERNANCE DOCUMENTS IN ORDER TO ENSURE ACADEMIC QUALITY AND PRODUCTIVITY WITHIN THE COLLEGE.

3335-107-07 AMENDMENT.

THE BOARD OF TRUSTEES OF THE UNIVERSITY CAN AMEND THIS PLAN.

NOW THEREFORE

**AMENDMENTS TO THE RULES OF THE
INTRAMURAL DENTAL PRACTICE PLAN (contd)**

BE IT RESOLVED, That the foregoing amendments to the *Rules of the Intramural Dental Practice Plan* be adopted as recommended effective immediately.

DEGREES AND CERTIFICATES - SPRING QUARTER COMMENCEMENT

Resolution No. 2001-142

Synopsis: Approval of Degrees and Certificates for Spring Quarter is proposed.

WHEREAS pursuant to paragraph (E) of rule 3335-1-06 of the Administrative Code, the Board has authority for the issuance of degrees and certificates; and

WHEREAS the faculties of the colleges and schools shall transmit, in accordance with rule 3335-9-29 of the Administrative Code, for approval by the Board of Trustees the names of persons who have completed degree and certificate requirements:

NOW THEREFORE

BE IT RESOLVED, That the degrees and certificates be conferred on June 8, 2001, to those persons who have completed the requirements for their respective degrees and certificates and are recommended by the colleges and schools, and that the names of those persons awarded degrees and certificates be included in the minutes of this meeting.

PERSONNEL ACTIONS

Resolution No. 2001-143

BE IT RESOLVED, That the personnel actions as recorded in the Personnel Budget Records of the University since the May 4, 2001 meeting of the Board, including the following Appointments/ Reappointment of Principal Administrative Official, Extension of Term -- Principal Administrative Official, Leaves of Absence Without Salary, Professional Improvement Leaves, and Emeritus Titles, as detailed in the University Budget be approved; and

BE IT FURTHER RESOLVED, That the Medical Staff Appointments (The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute) approved May 15, 2001, by The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute, be ratified.

Appointments

Name: JAMES J. BRUDNEY
Title: Professor (Newton D. Baker – Baker & Hostetler Chair in Law)
College: Law
Effective: August 1, 2001

Name: CHARLES C. CAPEN
Title: Distinguished University Professor
Department: Veterinary Biosciences
Effective: June 1, 2001

Name: MAURO FERRARI
Title: Professor (The Edgar C. Hendrickson Designated Chair in Biomedical Engineering)
College: Engineering
Term: July 1, 2001 through June 30, 2006

PERSONNEL ACTIONS (contd)

Appointments (contd)

Name: WILLIAM H. HALL
Title: Vice President for Student Affairs
Office: Student Affairs
Effective: June 1, 2001
Present Position: Interim Vice President for Student Affairs

Name: SHELDON W. HALPERN
Title: Professor (The C. William O'Neill Professorship in Law and Judicial Administration)
College: Law
Effective: August 1, 2001

Name: ELIZABETH R. LENZ
Title: Dean and Professor
College: Nursing
Term: September 1, 2001 through June 30, 2006
Present Position: Professor and Associate Dean for Research and Doctoral Studies, School of Nursing, Columbia University

Name: MATTHEW S. PLATZ
Title: Distinguished University Professor
Department: Chemistry
Effective: June 1, 2001

Appointment of Director of School

July 1, 2001 through June 30, 2005

School of Public Policy and Management

Bert A. Rockman

Reappointment of Principal Administrative Official

JOSEPH A. ALUTTO, Executive Dean, Professional Colleges, effective July 1, 2001, through June 30, 2004, pursuant to rule 3335-1-03 (R) of the Administrative Code.

Extension of Term -- Principal Administrative Official

CAROLE A. ANDERSON, Dean, College of Nursing, effective July 1, 2001, through August 31, 2001, pursuant to rule 3335-1-03 (R) of the Administrative Code.

Leaves of Absence Without Salary

STEPHEN W. MELVILLE, Professor, Department of History of Art, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002, to accept a Fellowship at the Clark Institute and the Leverhulme Fellowship in Essex.

ARKADY A. TSEYTLIN, Professor, Department of Physics, effective Winter Quarter 2002, to do research at the Imperial College and Cambridge University, London, United Kingdom.

JENNIFER C. TERRY, Associate Professor, Division of Comparative Studies, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002, to accept a visiting position in the Department of Women's Studies at the University of California at Berkeley.

PERSONNEL ACTIONS (contd)

Professional Improvement Leaves

HOJJAT ADELI, Professor, Department of Civil and Environmental Engineering and Geodetic Science, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

KEITH W. BEDFORD, Professor, Department of Civil and Environmental Engineering and Geodetic Science, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

NECIP BERME, Professor, Department of Mechanical Engineering, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

RUTH M. CHARNEY, Professor, Department of Mathematics, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

NORIKO KATSUBE, Professor, Department of Mechanical Engineering, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

CHIA-HSIANG MENQ, Professor, Department of Mechanical Engineering, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

MICHAEL J. MILLS, Professor, Department of Materials Science and Engineering, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

STEPHEN A. SEBO, Professor (The Neal A. Smith Chair in Electrical Engineering), effective Autumn Quarter 2001.

MUKESH SINGHAL, Professor, Department of Computer and Information Science, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

GARY STEIGMAN, Professor, Department of Physics, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

BRUCE W. WEIDE, Professor, Department of Computer and Information Science, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

PETER M. ANDERSON, Associate Professor, Department of Materials Science and Engineering, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

JACQUELINE J. GARGUS, Associate Professor, Austin E. Knowlton School of Architecture, effective Autumn Quarter 2001.

HAZEL A. MORROW-JONES, Associate Professor, Austin E. Knowlton School of Architecture, Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

DAVID H. WEINBERG, Associate Professor, Department of Astronomy, effective Autumn Quarter 2001, Winter Quarter and Spring Quarter 2002.

Emeritus Titles

MORRIS BEJA, Department of English, with the title Professor Emeritus, effective July 1, 2001.

WILLIAM O. CLEVERLEY, School of Public Health, with the title Professor Emeritus, effective July 1, 2001.

RICHARD K. LINDQUIST, Department of Entomology (OARDC), with the title Professor Emeritus, effective June 1, 2001.

PERSONNEL ACTIONS (contd)

Emeritus Titles (contd)

FRANK E. POIRIER, Department of Anthropology, with the title Professor Emeritus, effective July 1, 2001.

JOHN N. RAYNER, Department of Geography, with the title Professor Emeritus, effective July 1, 2001.

NANCY M. RUDD, Department of Consumer and Textile Sciences, with the title Professor Emeritus, effective August 1, 2001.

HOWARD D. SIRAK, Department of Surgery, with the title Professor Emeritus, effective June 1, 2001.

BEVERLY G. TOOMEY, College of Social Work, with the title Professor Emeritus, effective July 1, 2001.

JOHN R. CHAMPLIN, Department of Political Science, with the title Associate Professor Emeritus, effective July 1, 2001.

ROBERT M. JIOBU, Department of Sociology, with the title Associate Professor Emeritus, effective July 1, 2001.

RICHARD B. PRIOR, Department of Internal Medicine, with the title Associate Professor Emeritus, effective July 1, 2001.

AMY RIEMENSCHNEIDER, College of Social Work, with the title Associate Professor Emeritus, effective July 1, 2001.

MARILYN J. HICKS, College of Dentistry, with the title Assistant Professor Emeritus, effective July 1, 2001.

RAYMOND H. DOMINICK III, Department of History (Mansfield Campus), with the title Professor Emeritus, change effective date from April 1, 2001, to July 1, 2001.

Medical Staff Appointments (The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute)

April/May 2001

Initial Appointments – Faculty

John C. Byrd, M.D., Internal Medicine, Hematology and Oncology, Associate Professor, Attending
Magali J. Fernandez, M.D., Neurology, Assistant Professor, Associate Attending
Jill A. Foster, M.D., Ophthalmology, Clinical Assistant Professor, Clinical Attending
Haifeng M. Wu, M.D., Pathology, Assistant Professor, Associate Attending

Provisional to Full Appointment – Faculty

Guillermo Chacon, D.D.S., Associate Attending, Dentistry
Cynthia Magro, M.D., Associate Attending, Pathology

Provisional to Full Appointment – Community

Lisa DeLong, M.D., Obstetrics and Gynecology
Robert Rupert, M.D., Internal Medicine, Hematology and Oncology

PERSONNEL ACTIONS (contd)

Medical Staff Appointments (The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute) (contd)

April/May 2001 (contd)

Provisional to Full Appointments – Advanced Practice Nurses

Ellen Turner, C.R.N.A.

Provisional to Full Appointment – Anesthesiology Assistant

Malarvizhi Natesan, A.A.

Reappointment – Faculty (term of appointment 7/1/01-6/30/03)

Anesthesiology:

Glenn Gravlee, M.D., Associate Attending
Rebecca Gutmann, M.D., Associate Attending
Bhagwandas Gupta, M.D., Associate Attending
Michael Howie, M.D., Associate Attending
Elizabeth Jongleux, M.D., Associate Attending
Garrett T. Kelly, M.D., Associate Attending
Alan Kover, M.D., Associate Attending
Luis Lopez, M.D., Associate Attending

Dentistry:

Carl M. Allen, D.D.S., Associate Attending
Peter E. Larsen, D.D.S., Associate Attending
Daniel Jolly, D.D.S., Associate Attending

Internal Medicine:

Cardiology

Mary Alton, M.D., Associate Attending
James Bacon, M.D., Associate Attending
Harisios Boudoulos, M.D., Associate Attending
Curt J. Daniels, M.D., Associate Attending
Mary Fontana-Wise, M.D., Associate Attending
Albert Kolibash, M.D., Associate Attending
Carl V. Leier, M.D., Associate Attending

Hematology-Oncology

Clara D. Bloomfield, M.D., Attending

Pulmonary

James Allen, M.D., Associate Attending
Elizabeth Brown, M.D., Associate Attending
Elliott Crouser, M.D., Associate Attending
Ruairi Fahy, M.D., Associate Attending
Stephen Hoffman, M.D., Associate Attending

Neurology:

D. Joanne Lynn, M.D., Associate Attending
Jean Hubble, M.D., Associate Attending

Otolaryngology:

Amit Agrawal, M.D., Associate Attending

PERSONNEL ACTIONS (contd)

Medical Staff Appointments (The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute) (contd)

Reappointment – Faculty (term of appointment 7/1/01-6/30/03) (contd)

Pathology:

Michael G. Bissell, M.D., Ph.D., M.P.H., Associate Attending
Carl P. Boesel, M.D., Associate Attending
Leona Ayers, M.D., Associate Attending
Peter Baker, M.D., Associate Attending
Gary Barnett, M.D., Associate Attending
Rolf Barth, M.D., Associate Attending
William Becker, M.D., Associate Attending
Wendy Frankel, M.D., Associate Attending
Amy S. Gewirtz, M.D., Associate Attending
Charles L. Hitchcock, M.D., Ph.D., Associate Attending
Samir Kahwash, M.D., Clinical Attending
Donald L. Kelley, M.D., Associate Attending
Sedigheh Keyhani-Rofagha, M.D., Associate Attending
Joel G. Lucas, M.D., Associate Attending

Physical Medicine and Rehabilitation:

Sam Colachis, M.D., Associate Attending
Ernest Johnson, M.D., Associate Attending

Radiology:

Carol J. Ashman, M.D., Associate Attending
James Laffey, D.O., Associate Attending

Surgery:

Cardiothoracic

Andrew H. Goldstein, M.D., Associate Attending

General Surgery

Charles Cook, M.D., Associate Attending

Surgical Oncology

William E. Burak, M.D., Attending
William E. Carson, III, M.D., Attending

Transplant

Elizabeth A. Davies, M.D., Associate Attending
Ronald M. Ferguson, M.D., Associate Attending

Reappointment – Nurses in Advanced Practice (term of appointment 7/1/01-6/30/03)

Bruce V. Alden, CRNA
Theresa L. Craig, CRNA
Veronica D. Haverick, CRNA
Jamie B. Kaplin, CRNA

RESOLUTIONS IN MEMORIAM

Resolution No. 2001-144

Synopsis: Approval of Resolutions in Memoriam.

RESOLVED, That the Board adopt the following Resolutions in Memoriam and that the President be requested to convey a copy to the families of the deceased.

Richard W. Huffman

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on May 2, 2001, of Dr. Richard W. Huffman, Professor Emeritus in the College of Dentistry.

A Columbus, Ohio, native and a 1942 graduate of West High School, Dr. Huffman's freshman year at The Ohio State University was interrupted by military service. He served as a dental technician in the U.S. Navy. He returned to Ohio State in 1945, completed his pre-dentistry requirements, and entered the College of Dentistry the following year. He graduated cum laude from the OSU College of Dentistry in 1950 and was elected to Omicron Kappa Upsilon Dental Honorary Society. Dr. Huffman then spent three years as a dental officer in the United States Navy.

He returned to Columbus in 1954 and entered private practice. In 1963, he joined the faculty as a full-time instructor in operative dentistry. Richard Huffman was promoted to the rank of professor in 1977 and appointed professor emeritus upon his retirement in 1986.

Dr. Huffman became interested in the dynamics of the occlusion of teeth, a little understood concept. He undertook a study of the theories of occlusion and their applications to restorative dentistry and the temporomandibular joint. In time, he gained considerable expertise in the field and with it national and international recognition. During his career, he presented over 300 courses, lectures, and clinics throughout the Western Hemisphere and in Asia. He was the co-author of the popular textbook "Principles of Occlusion" and the developer of the "Huffman Numbered Leaf Gauges," an important diagnostic tool.

Dr. Huffman was a life member of both the American Academy of Crown and Bridge Prosthodontics and the American Academy of Operative Dentistry, a charter member of the International Academy of Gnathology, and a member of the American Equilibration Society.

He is best remembered by his students and colleagues as an effective clinical teacher. The College's class of 1973 dedicated their yearbook to him as "Scholar, Educator, and Friend."

On behalf of the University community, the Board of Trustees expresses to the family of Dr. Huffman its deepest understanding of their loss. It was directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

Robert H. Magnuson

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on April 17, 2001, of Dr. Robert H. Magnuson, Clinical Professor Emeritus in the Department of Ophthalmology.

Dr. Magnuson was a truly versatile person. He had been a physician, a teacher, a researcher, an administrator, a traveler, an athlete, a soldier, and a politician. Dr. Magnuson was born in Columbus, Ohio, in 1917, and received his medical degree from The Ohio State University College of Medicine in 1941. He served his internship at Allegheny General Hospital, Pittsburgh, Pennsylvania. As a captain in the Army Medical Corps in the South Pacific during World War II, he was commanding officer of the 424th Medical Collecting Company. Upon his return in 1946, he completed his residency in ophthalmology at St. Luke's Hospital, Cleveland, and The Ohio State University. In addition to his private practice, he served as ophthalmologist to the Ohio

RESOLUTIONS IN MEMORIAM (contd)

Robert H. Magnuson (contd)

State Penitentiary, The Ohio State University Athletic Teams, and the Columbus State School for many years.

He was a very strong believer in good patient care and was passionate about his profession. He ministered to many well-known patients during his 50-year career, including governors, Supreme Court justices, infamous inmates, and championship football teams. He worked with Dr. Sam Sheppard, who was serving time for a murder conviction in the death of his wife. Sheppard's case was the basis for the TV series and movie "The Fugitive." He also befriended Thomas "Yonnie" Licovoli, a northern Ohio mobster who was serving a 35-year term for murder.

Dr. Magnuson served on The Ohio State University Medical School faculty for 40 years. He started the Thursday Grand Rounds teaching program that is still our primary formal clinical educational session today. Through his dedicated teaching experiences and his own astute observations, Dr. Magnuson achieved many "firsts." The discovery and availability of corticosteroids occurred during his residency at Ohio State. Corticosteroids represented one of the greatest advances of medical ophthalmology of all time, and Dr. Magnuson was one of the pioneers. Prior to the corticosteroids, beta radiation was a cornerstone of therapy for the neovascularization characteristic of very severe types of eye disorder. He went to Chicago to learn more about beta radiation, only to be disillusioned when the honored instructor stipulated his great experience to consist of more than 20 cases. At the time, young Dr. Magnuson had already treated over 1,000 eyes with beta radiation. Sulfonamides were the earliest specific anti-infectives. Many of the early pharmaceutical combinations of sulfonamides and corticosteroids received their first clinical trials in Dr. Magnuson's private office and at the hands of the residents he taught. He was the departmental leader in this field also.

He has been one of the most loyal supporters of the University, the college, and the department for many years. Dr. Magnuson generously supported the educational programs of ophthalmology and has given dedicated service to the department. Through his generosity, the Department of Ophthalmology now has a beautiful state-of-the-art teaching facility, The Magnuson Conference Room, where resident lectures and Grand Rounds are held regularly.

Dr. Magnuson was a member of numerous professional organizations and was the longtime secretary of the Ohio Ophthalmological Society. He was an avid sportsman, fisherman, and athlete. After retiring in 1996, he devoted his time to fly fishing and golf.

On behalf of the University community, the Board of Trustees expresses to the family, friends, and colleagues of Dr. Magnuson its deepest sympathy and sense of understanding of their loss. It was directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

REPORT OF RESEARCH CONTRACTS AND GRANTS

Resolution No. 2001-145

Synopsis: The reports on research and other sponsored program contracts and grants and the summary for April 2001 is presented for Board acceptance.

WHEREAS monies are solicited and received on behalf of the University from governmental, industrial, and other agencies in support of research, instructional activities, and service; and

WHEREAS such monies are received through The Ohio State University Research Foundation:

NOW THEREFORE

REPORT OF RESEARCH CONTRACTS AND GRANTS (contd)

BE IT RESOLVED, That the research agreement between The Ohio State University and The Ohio State University Research Foundation for the contracts and grants reported herein during the month of April 2001 be approved.

REPORT ON UNIVERSITY DEVELOPMENT

Resolution No. 2001-146

Synopsis: The report on the receipt of gifts and the summary for April 2001 are presented for Board acceptance.

WHEREAS monies are solicited and received on behalf of the University from alumni, industry, and various individuals in support of research, instructional activities, and service; and

WHEREAS such gifts are received through The Ohio State University Development Fund and The Ohio State University Foundation; and

WHEREAS this report includes the establishment of fifteen (15) new named endowed funds and the amendment of one (1) named endowed fund:

NOW THEREFORE

BE IT RESOLVED, That the acceptance of the report from The Ohio State University Development Fund and The Ohio State University Foundation during the month of April 2001 be approved.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

TOTAL UNIVERSITY PRIVATE SUPPORT

July through April
1999-2000 Compared to 2000-2001

GIFT RECEIPTS BY DONOR TYPE

		Dollars July through April	
	<u>1999-2000</u>	<u>2000-2001</u>	<u>%Change</u>
Individuals:			
Alumni (Current Giving)	\$23,565,016	\$25,855,411	10
Alumni (From Bequests)	<u>9,104,848</u>	<u>5,902,557</u>	(35)
Alumni Total	\$32,669,864	\$31,757,968	(3)
Non-Alumni (Current Giving)	\$18,715,138	\$22,113,190	18
Non-Alumni (From Bequests)	<u>4,075,866</u>	<u>9,956,467</u>	144
Non-Alumni Total	\$22,791,004	\$32,069,657	41
Individual Total	\$55,460,868	\$63,827,625	15 ^A
Corporations/Corp/Foundations	\$31,084,127	\$34,454,728	11 ^B
Private Foundations	\$12,508,602	\$12,125,835	(3) ^C
Associations and Other Organizations	<u>\$4,674,950</u>	<u>\$3,827,514</u>	(18) ^D
Total	\$103,728,547	\$114,235,702	10

NOTES

- A Individual giving is up 15 percent largely due to the fact that gifts of \$10,000 or more are up (438 gifts for \$38.6 million last year; 509 gifts for \$47.4 million this year).
- B Corporate giving is up 11 percent. Last year there were 576 corporate gifts providing private support of \$10,000 or more (\$24.2 million). This year private support at the \$10,000 level is \$27.8 million (587 gifts).
- C Foundation giving at the \$10,000 or more level is down slightly (\$11.3 million from 160 gifts this year; \$11.8 million from 163 gifts last year).
- D Gifts from associations and other organizations are down 18 percent since giving at the \$10,000 or more level is \$943,998 less than last year for the same period.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

TOTAL UNIVERSITY PRIVATE SUPPORT (contd)

July-April
1999-2000 Compared to 2000-2001

GIFT RECEIPTS BY PURPOSE

	Dollars July through April		
	<u>1999-2000</u>	<u>2000-2001</u>	<u>% Change</u>
Gift Receipts to Current Use and Endowment Funds:			
Buildings/Equipment	\$19,028,874	\$21,478,894	13
Faculty Support	\$14,336,410	\$9,973,448	(30)
Program Support	\$46,896,398	\$62,428,430	33
Student Financial Aid	\$15,078,089	\$10,878,324	(28)
Annual Funds-Colleges/Departments	\$6,944,102	\$7,802,666	12
Annual Funds-University	<u>\$1,444,674</u>	<u>\$1,673,940</u>	16
Total	\$103,728,547	\$114,235,702	14

GIFT ADDITIONS TO ENDOWMENT

Dollars July through April		
<u>1999-2000</u>	<u>2000-2001</u>	<u>% Change</u>
\$38,153,877	\$29,626,807	(22)

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND

	<u>Previous Funds</u>	<u>Current Funds</u>	<u>Total Funds</u>
<u>Establishment of Named Endowed Funds</u>			
The Howell Family Scholarship Fund (Provide scholarship costs of student athletes who are pursuing undergraduate degrees and participating on the men's varsity swimming team)		\$446,489.00	\$446,489.00
The University Library History of Astronomy Fund (Purchase early astronomical books and other materials pertaining to the history of astronomy)		\$140,777.85	\$140,777.85
The Frank W. Bope Legends of Pharmacy Scholarship Fund (Provide scholarship(s) to qualified professional students enrolled at the College of Pharmacy)		\$26,050.00	\$26,050.00

THE OHIO STATE UNIVERSITY FOUNDATION

	<u>Previous Funds</u>	<u>Current Funds</u>	<u>Total Funds</u>
<u>Establishment of Named Endowed Funds</u>			
The William G. Myers, M.D., Ph.D., and Florence Lenahan Myers, M.D., Radiation Oncology Research Endowment Fund (Support radiation oncology research at the Comprehensive Cancer Center – The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute)		\$443,500.00	\$443,500.00
The Thekla R. and Donald B. Shackelford Professorship Fund in Canine Medicine (Provide a professorship in the College of Veterinary Medicine)		\$250,000.00	\$250,000.00
The Ross-Hocking Extension 4-H Camp Association, Inc. Endowment Fund (Enhance and foster further development of the resources and camping programs of the Ross-Hocking Extension 4-H Camp Association, Inc.)		\$50,000.00	\$50,000.00
The Eleanor Quinlan Memorial Fund (Development and recognition of outstanding graduate teaching associates within the Department of Computer and Information Science)		\$35,031.00	\$35,031.00

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

	<u>Previous Funds</u>	<u>Current Funds</u>	<u>Total Funds</u>
<u>Establishment of Named Endowed Funds (contd)</u>			
The Calvin and Lydia Roebuck Athletic Scholarship Fund (Supplement the student-athlete grant-in-aid scholarship costs of student athletes who are members of the football team and who are pursuing undergraduate degrees)		\$33,820.00	\$33,820.00
Ohio State ATI Founders and Friends Award Fund (Awards to eligible OSU Agricultural Technical Institute students)		\$32,691.90	\$32,691.90
Moore Family Scholarship Fund (Provide financial need-based scholarship(s) for undergraduate students who are in the top 10 percent of their graduating class)		\$30,000.00	\$30,000.00
The Marie Cummins Curtin Scholarship Fund in Pharmacy (Provide scholarship(s) to deserving students in the College of Pharmacy)		\$29,545.00	\$29,545.00
The Dr. Robert D. Berkebile Memorial Award Fund in Radiology (Support student awards in the Department of Radiology)		\$25,000.00	\$25,000.00
The Leslie Cribley Memorial University Scholar Fund (Provide merit scholarship(s) for Leslie Cribley University Scholars)		\$25,000.00	\$25,000.00
The OSU Alumni Club of Phoenix Scholarship Fund (Provide merit scholarships to graduates of high schools in the Phoenix Metro Area)		\$25,000.00	\$25,000.00
The OSU Army ROTC Alumni Scholarship Fund (Support scholarships for undergraduate students enrolled in the Army ROTC program) (Grandfathered)		\$21,121.00	\$21,121.00
<u>Change in Description of Named Endowed Fund</u>			
John G. and Zoe Johnstone Endowed Fund for Musicology			
Total		\$1,614,025.75	\$1,614,025.75

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND

Establishment of Named Endowed Funds

The Howell Family Scholarship Fund

The Howell Family Scholarship Fund was established June 1, 2001, by the Board of Trustees of The Ohio State University with gifts from the estate of the late William B. Howell (B.S., Soc. Adm., 1940) and Marcia Howell and family of Troy, Ohio. This scholarship was established by the Department of Athletics.

All gifts are to be invested in the University's Permanent Endowment Fund, under the rules and regulations adopted by the Board of Trustees of The Ohio State University, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to provide scholarship costs of student athletes who are pursuing undergraduate degrees at The Ohio State University and participating on the men's varsity swimming team. Recipients shall be selected by the director of Athletics in consultation with the University Committee on Student Financial Aid.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Board of Trustees as recommended by the director of Athletics in order to carry out the desire of the donor.

\$446,489.00

The University Library History of Astronomy Fund

The University Library History of Astronomy Fund was established June 1, 2001, by the Board of Trustees of The Ohio State University with a gift from the estate of Dr. Philip C. Keenan, Professor Emeritus, Department of Astronomy.

All gifts are to be invested in the University's Permanent Endowment Fund, under the rules and regulations adopted by the Board of Trustees of The Ohio State University, with the right to invest and reinvest as occasion dictates.

The annual income shall be used within the University Library system to purchase early astronomical books and other materials pertaining to the history of astronomy. The unused income will be reinvested in the principal.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Board of Trustees in consultation with the director of the Libraries, or head of the Rare Books and Manuscripts Library in order to carry out the desire of the donor.

\$140,777.85

The Frank W. Bope Legends of Pharmacy Scholarship Fund

The Frank W. Bope Legends of Pharmacy Scholarship Fund was established June 1, 2001, by the Board of Trustees of The Ohio State University with gifts to the University from Ohio State pharmacy alumni, friends, colleagues, industrial partners, corporate foundations, private foundations, and family members.

All gifts are to be invested in the University's Permanent Endowment Fund, under the rules and regulations adopted by the Board of Trustees of The Ohio State University, with the right to invest and reinvest as occasion dictates.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND (contd)

Establishment of Named Endowed Funds (contd)

The Frank W. Bope Legends of Pharmacy Scholarship Fund (contd)

The annual income shall be used to provide one or more scholarships to qualified professional students enrolled at the College of Pharmacy exhibiting academic achievement and good character. The College of Pharmacy's Awards and Student Financial Aid Committee in consultation with the University Committee on Student Financial Aid will determine eligible recipients.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Board of Trustees in consultation with the appropriate college dean, department chairperson or program administrative officer in the College of Pharmacy in order to carry out the desire of the donors.

\$26,050.00

THE OHIO STATE UNIVERSITY FOUNDATION

Establishment of Named Endowed Funds

The William G. Myers, M.D., Ph.D., and Florence Lenahan Myers, M.D., Radiation Oncology Research Endowment Fund

The William G. Myers, M.D., Ph.D., and Florence Lenahan Myers, M.D., Radiation Oncology Research Endowment Fund at the Comprehensive Cancer Center – The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from the estate of Florence Lenahan Myers, M.D.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to support radiation oncology research at the Comprehensive Cancer Center – The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute at The Ohio State University as approved by the director of The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute, the director of the Comprehensive Cancer Center, and the senior vice president for Health Sciences and dean of the College of Medicine and Public Health.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the director of The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute, the director of the Comprehensive Cancer Center, and the senior vice president for Health Sciences and dean of the College of Medicine and Public Health in order to carry out the desire of the donor.

\$443,500.00

The Thekla R. and Donald B. Shackelford Professorship Fund in Canine Medicine

The Thekla R. and Donald B. Shackelford Professorship Fund in Canine Medicine was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

The Thekla R. and Donald B. Shackelford
Professorship Fund in Canine Medicine (contd)

of The Ohio State University Foundation, with a gift from Thekla R. (M.A., Education, 1969) and Donald B. Shackelford.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income will provide a professorship to be held by an eminent faculty member at the College of Veterinary Medicine who has distinguished himself/herself in the clinical sciences specifically related to canines, maintains an active and productive research program, and who is an effective educator-teacher. Selection shall be made as recommended by the dean of the College of Veterinary Medicine with the associate dean of research as well as the chair of Department of Veterinary Clinical Sciences.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board as recommended by the person or unit with spending authority and/or appropriate University official in order to carry out the desire of the donors.

\$250,000.00

The Ross-Hocking Extension 4-H Camp Association, Inc. Endowment Fund

The Ross-Hocking Extension 4-H Camp Association, Inc. Endowment Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Ross-Hocking Extension 4-H Camp Association, Inc. and friends.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to enhance and foster further development of the resources and camping programs of the Ross-Hocking Extension 4-H Camp Association, Inc. All expenditures from this fund shall be approved by the Ross-Hocking Extension 4-H Camp Association board of trustees.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then the fund shall be for use and benefit of the 4-H program of The Ohio State University following consultation with the Ross-Hocking Extension 4-H Camp Association, Inc. board of trustees in order to carry out the desire of the donor.

\$50,000.00

The Eleanor Quinlan Memorial Fund

The Eleanor Quinlan Memorial Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from friends, former students, and colleagues of the late Eleanor Quinlan (M.S., 1985) who, for over a decade, nurtured the development of graduate associates in the Department of Computer and Information Science.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY DEVELOPMENT FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

The Eleanor Quinlan Memorial Fund (contd)

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used at the discretion of the chairperson of the Department of Computer and Information Science for development and recognition of outstanding graduate teaching associates within the department.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the appropriate department chairperson in order to carry out the desire of the donors.

\$35,031.00

The Calvin and Lydia Roebuck Athletic Scholarship Fund

The Calvin and Lydia Roebuck Athletic Scholarship Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from friends, family, and colleagues of the Roebuck family.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to supplement the student-athlete grant-in-aid scholarship costs of student athletes who are members of the football team and who are pursuing undergraduate degrees at The Ohio State University. Preference will be given to student-athletes majoring in business and carrying a 3.0 or above grade point average. If no candidates meet the selection criteria, the recipients shall be selected by the Department of Athletics. The scholarship will be awarded in consultation with the University Committee on Student Financial Aid.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board as recommended by the director of Athletics in order to carry out the desire of the donors.

\$33,820.00

Ohio State ATI Founders and Friends Award Fund

The Ohio State ATI Founders and Friends Award Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with miscellaneous gifts.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

This grant fund was established to honor the Founders and Friends of Ohio State ATI. The annual income shall be used for awards to eligible OSU Agricultural Technical Institute students who must demonstrate financial need and must complete the required need analysis form. In addition, candidates must demonstrate potential for academic success as measured by grade point average, high school, rank, etc., prior to enrollment or have earned at least a 2.0 cumulative

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

Ohio State ATI Founders and Friends Award Fund (contd)

grade point average as an enrolled student. Unused funds will be returned to the principal. Awards must be made in consultation with the University Committee on Student Financial Aid.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the appropriate college dean, school director, department chairperson, or program administrative officer in order to carry out the desire of the donors.

\$32,691.90

Moore Family Scholarship Fund

The Moore Family Scholarship Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts designated for support of the Office of Student Financial Aid from James Moore (B.A., 1967; J.D., 1970) and Diane Moore (B.A., cum laude, 1979; J.D., 1982), from Highland Park, Illinois.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be distributed to the Office of Student Financial Aid and used to provide one or more financial need based scholarships for undergraduate students who are in the top 10 percent of their graduating class. Recipients will be selected in consultation with the University Committee on Student Financial Aid. Unused income shall be added to principal.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the appropriate college dean, department chairperson, or program administrative officer in order to carry out the desire of the donors.

\$30,000.00

The Marie Cummins Curtin Scholarship Fund in Pharmacy

The Marie Cummins Curtin Scholarship Fund in Pharmacy was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from the Curtin family of Columbus, Ohio.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to provide one or more scholarships in varying amounts to deserving students in the College of Pharmacy who have difficulty meeting tuition and fee expenses and exhibit potential for success at The Ohio State University and in the profession of pharmacy. Preference will be given to a female student in the College of Pharmacy. The scholarship will be awarded in consultation with the University Committee on Student Financial Aid.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

The Marie Cummins Curtin Scholarship Fund in Pharmacy (contd)

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the appropriate college dean, department chairperson, or program administrative officer in the College of Pharmacy in order to carry out the desire of the donors.

\$29,545.00

The Dr. Robert D. Berkebile Memorial Award Fund in Radiology

The Dr. Robert D. Berkebile Memorial Award Fund in Radiology was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts in memory of the late Robert D. Berkebile (M.D., 1939), by his wife, Marian Miller Berkebile, of Fort Myers, Florida.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall support student awards in the Department of Radiology. "The Robert D. Berkebile Memorial Award in Radiology" shall be given each year at the spring honors convocation of the College of Medicine and Public Health. Awardees shall be students of the College of Medicine and Public Health who complete a rotation in radiology and who most exemplify determination, expertise and promise in the field of radiology. Awardees shall be selected by the chairperson of the Department of Radiology in consultation with the senior vice president for Health Sciences and dean of the College of Medicine and Public Health in consultation with the University Committee on Student Financial Aid.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the senior vice president for Health Sciences and dean of the College of Medicine and Public Health and the chairperson of the Department of Radiology in order to carry out the desire of the donor.

\$25,000.00

The Leslie Cribley Memorial University Scholar Fund

The Leslie Cribley Memorial University Scholar Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from E. Marie Cribley of Seattle, Washington, in memory of her husband, Leslie Cribley (M.A., Education, 1938).

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to provide one or more merit scholarships for "Leslie Cribley University Scholars." The student(s) will be selected from among students who qualify as University Scholars, with first preference going to a student in music. The income will continue through the senior year so long as he or she maintains eligibility. The fund will be administered by the University Honors Center in consultation with the University Committee on Student Financial Aid.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

The Leslie Cribley Memorial University Scholar Fund (contd)

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the appropriate college dean, department chairperson, or program administrative officer in order to carry out the desire of the donor.

\$25,000.00

The OSU Alumni Club of Phoenix Scholarship Fund

The OSU Alumni Club of Phoenix Scholarship Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from the OSU Alumni Club of Phoenix.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to provide merit scholarships to graduates of high schools in the Phoenix Metro Area, recruited, interviewed, ranked, and recommended by the Alumni Club of Phoenix, Arizona, to the office of Student Financial Aid. Any unused income shall be reinvested to the principal.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the vice president for University Development, and the director of Student Financial Aid in order to carry out the desire of the donors.

\$25,000.00

The OSU Army ROTC Alumni Scholarship Fund

The OSU Army ROTC Alumni Scholarship Fund was established June 1, 2001, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from the Army ROTC Alumni Society members and friends.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to support scholarships for undergraduate students enrolled in the Army ROTC program. One or more cadets will receive the scholarship upon recommendation of the Army ROTC staff and ROTC Alumni Society. Any unused income shall be reinvested to the principal.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the Army ROTC staff, vice president for University Development, and director of Student +Financial Aid in order to carry out the desire of the donors.

\$21,121.00 (Grandfathered)

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Change in Description of Named Endowed Fund

John G. and Zoe Johnstone Endowed Fund for Musicology

The John G. and Zoe Johnstone Endowed Fund for Musicology was established August 30, 2000, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with a gift from John G. (Ph.D., Music, 1984) and Zoe Johnstone of Columbus, Ohio. The description was revised on June 1, 2001.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be divided as follows:

- 1) Seventy-five percent, or a minimum of \$2,000, will provide an annual award to a graduate student in the School of Music specializing in musicology. The recipient will be selected by the faculty of the area of musicology in consultation with the University Committee on Student Financial Aid. The award shall be for excellence of scholarship.
- 2) The remaining amount may be used to pay research expenses of graduate students in the area of musicology. The area head will select qualified recipients and determine appropriate use of funds. Any materials purchased shall become the property of the University.

In the event there are undistributed funds in any given year, the unused income shall be returned to the principal.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board as recommended by the director of the School of Music in order to carry out the desire of the donors.

LONG-TERM DISABILITY INCOME PROGRAM

Resolution No. 2001-147

Synopsis: The approval of a change in benefit and vendor for the Long-Term Disability income benefit program including a benefit improvement at no increased cost is proposed.

WHEREAS the University currently provides an income replacement benefit for faculty and staff affected by disabilities other than those covered by statutory Workers' Compensation benefits; and

WHEREAS specifications and proposal forms were issued to five (5) nationally recognized companies providing disability programs; four (4) of which were responsive to our specifications; and

WHEREAS the Office of Human Resources, with assistance from PriceWaterhouseCoopers LLP, a national consulting company with specialists in disability programs, has reviewed and evaluated the resulting proposals and, based on pricing, benefits offered, administrative costs, support for disabled faculty and staff, and other associated services and reporting, recommends that the best proposal is offered by the Hartford Life Insurance Company. The proposal includes:

LONG-TERM DISABILITY INCOME PROGRAM (contd)

Disability income replacement, percent of base salary: 60% (currently 50%)

University cost per faculty/staff member per month: \$7.26 (currently \$7.76)

Optional employee-purchased supplemental benefit premiums are also reduced by an average of 19%.

Price guarantee period: 3 years (currently annual)

NOW THEREFORE

BE IT RESOLVED, That the contract for the program of providing disability benefits to eligible faculty and staff be awarded to the Hartford Life Insurance Company for a three (3) year period beginning July 1, 2001, with the pricing, fees, and performance of the provider to be reviewed before July 1, 2004, and annually thereafter. This contract will remain in force after the initial term until the administration deems it appropriate to recommend review of the designated provider and/or seek a new pricing quotation; and

BE IT FURTHER RESOLVED, That the President and/or Associate Vice President for Human Resources are hereby authorized and directed to make the aforementioned changes in the long-term disability income plan.

**EMPLOYMENT OF ARCHITECTS/ENGINEERS AND
REQUEST FOR CONSTRUCTION BIDS**

Resolution No. 2001-148

**OARDC – HAYDEN HALL RENOVATION
VIVIAN HALL – ROOMS 1 – 218
CENTRAL CLASSROOM BUILDING – ROOF REPLACEMENT
DENNEY HALL – CLASSROOM RENOVATION PHASE I**

Synopsis: Authorization to employ architect/engineering firms and request construction bids for the OARDC – Hayden Hall Renovation, Vivian Hall – Rooms 1–218, and Central Classroom Building – Roof Replacement projects and authorization to request construction bids for the Denney Hall – Classroom Renovation Phase I project is requested.

WHEREAS the University desires to upgrade existing laboratories, refurbish office spaces, install a new passenger elevator, install new central HVAC system, and reconstruct restroom facilities in Hayden Hall on the OARDC campus; and

WHEREAS the total estimated project cost is \$850,000 and the total estimated construction cost is \$690,000, with funding provided by House Bill 790 (\$100,000) and OARDC funds (\$750,000); and

WHEREAS the University plans to demolish Ives Hall in order to use that site for the construction of the new Knowlton School of Architecture and desires to renovate space in Vivian Hall to temporarily house a portion of the Knowlton School of Architecture functions being displaced from Ives Hall; and

WHEREAS the total estimated project cost is \$305,000 and the total estimated construction cost is \$261,000, with funding provided by the Knowlton School of Architecture (\$152,500) and central University funds (\$152,500); and

WHEREAS the University desires to replace the deteriorated, leaking roof on the Central Classroom Building; and

**EMPLOYMENT OF ARCHITECTS/ENGINEERS AND
REQUEST FOR CONSTRUCTION BIDS (contd)**

WHEREAS the total estimated project cost is \$109,407 and the total estimated construction cost is \$81,103, with funding provided by Office of Physical Facilities (\$38,953.50) and Office of Facilities Planning and Development (\$70,453.50); and

WHEREAS the University desires to renovate the pool classrooms on the second floor of Denney Hall, surrounding common areas, and rest rooms; and

WHEREAS the size of this project has been increased beyond the original \$970,000 approved by this Board at its meeting on February 5, 1999; and

WHEREAS the revised estimated project cost is \$1,068,435 and the total estimated construction cost is \$508,117.11, with funding provided by House Bill 748 (\$32,000), House Bill 790 (\$29,256.61), House Bill 850 (\$945,191.89), House Bill 904 (\$26,568), Classroom Pool (\$418.50), and Honor Program funding (\$35,000):

NOW THEREFORE

BE IT RESOLVED, That the President and/or Vice President for Business and Finance be authorized to select qualified architectural/engineering firms as necessary for the OARDC – Hayden Hall Renovation, Vivian Hall – Rooms 1-218, and Central Classroom Building – Roof Replacement projects and that the fees for these services be negotiated between the firm selected and the University; and

BE IT FURTHER RESOLVED, That the President and/or Vice President for Business and Finance be authorized to request construction bids for the OARDC – Hayden Hall Renovation, Vivian Hall – Rooms 1-218, Central Classroom Building – Roof Replacement, and Denney Hall - Classroom Renovation Phase I projects in accordance with established University and State of Ohio procedures, and if satisfactory bids are received, to issue contracts with all actions to be reported to this Board at the appropriate time.

(See Appendix XLII for maps, page 1061.)

**CONTINUATION OF LEARNING TECHNOLOGY FEE
IN THE MAX M. FISHER COLLEGE OF BUSINESS**

Resolution No. 2001-149

Synopsis: Authorization to continue with a learning technology fee in the Fisher College of Business is proposed.

WHEREAS the Fisher College of Business was authorized to implement a learning technology fee for its majors in Spring 1994; and

WHEREAS a review of the past year by the Provost's Oversight Committee on Learning Technology Fees has shown the income from that fee to have been invested as planned and the planned past-year improvements in instructional computing services to have been accomplished; and

WHEREAS a survey of business students has shown substantial satisfaction with the improvements already made; and

WHEREAS the Fisher College of Business has monitored the use of computing laboratories and taken steps to increase accessibility as needed by students; and

**CONTINUATION OF LEARNING TECHNOLOGY FEE
IN THE MAX M. FISHER COLLEGE OF BUSINESS (contd)**

WHEREAS there is a need to continue the implementation of the Fisher College of Business learning technology plan:

NOW THEREFORE

BE IT RESOLVED, That the Fisher College of Business is authorized to continue assessing undergraduate majors and graduate students in the college a learning technology fee. Effective Autumn Quarter 2001 full-time undergraduate majors (12 credit hours or more) will be assessed \$85 and full-time graduate students (8 credit hours or more) will be assessed \$120 per quarter. The fee will be prorated at \$7 per credit hour for undergraduate majors enrolled for less than 12 credit hours and at \$15 per credit hour for graduate students enrolled for less than 8 credit hours. This represents no change in learning technology fees from FY00. For subsequent years the learning technology fee will be limited to 10 percent of the resident undergraduate tuition and the prorated fees for students who are not full-time will be adjusted correspondingly; and

BE IT FURTHER RESOLVED, That the use of the Fisher College of Business learning technology fee will be reviewed by the Provost's Oversight Committee on Learning Technology Fees, and subject to annual approval by the Board of Trustees, until the fee is eliminated or replaced by a University-wide learning technology fee.

**CONTINUATION OF LEARNING TECHNOLOGY FEE
IN THE COLLEGE OF ENGINEERING**

Resolution No. 2001-150

Synopsis: Authorization to continue with a learning technology fee in the College of Engineering is proposed.

WHEREAS the College of Engineering was authorized to implement a learning technology fee for its majors in Spring 1993; and

WHEREAS a review of the past year by the Provost's Oversight Committee on Learning Technology Fees has shown the income from that fee to have been invested as planned and the planned past-year improvements in instructional computing services to have been accomplished; and

WHEREAS although engineering student response to surveys continues to be low, survey results obtained have shown satisfaction; and

WHEREAS the College of Engineering has monitored the use of computing laboratories and taken steps to increase accessibility as needed by students; and

WHEREAS there is a need to continue the implementation of the College of Engineering learning technology plan; and

WHEREAS students who are majors in computer and information science in the College of Mathematical and Physical Sciences make substantial use of Engineering computing laboratories, approximately two-thirds as much as their counterparts in Engineering, and are currently assessed the computing fee:

NOW THEREFORE

**CONTINUATION OF LEARNING TECHNOLOGY FEE
IN THE COLLEGE OF ENGINEERING (contd)**

BE IT RESOLVED, That the College of Engineering is authorized to continue assessing undergraduate majors and graduate students in the college a learning technology fee and to expand services to include additional staff in labs. Effective Autumn Quarter 2001 full-time undergraduate majors (12 credit hours or more) will be assessed \$110 and full-time graduate students (8 credit hours or more) will be assessed \$120 per quarter. The fee will be prorated at \$9 per credit hour for undergraduate majors enrolled for less than 12 credit hours and at \$15 per credit hour for graduate students enrolled for less than 8 credit hours. This represents no change in computing fees from FY00. For subsequent years the computing fee will be limited to 15 percent of the resident undergraduate tuition and the prorated fees for students who are not full-time will be adjusted correspondingly; and

BE IT FURTHER RESOLVED, That majors in computer and information science who are enrolled in the College of Mathematical and Physical Sciences will continue to be assessed a learning technology fee by the College of Engineering at the rate of two-thirds of the amount assessed engineering majors; and

BE IT FURTHER RESOLVED, That the use of the Engineering learning technology fee will be reviewed by the Provost's Oversight Committee on Learning Technology Fees, and subject to annual approval by the Board of Trustees, until the fee is eliminated or replaced by a University-wide learning technology fee.

**CONTINUATION OF LEARNING TECHNOLOGY FEE
IN THE SCHOOL OF PUBLIC POLICY AND MANAGEMENT**

Resolution No. 2001-151

Synopsis: Authorization to continue with a learning technology fee in the School of Public Policy and Management is proposed.

WHEREAS the School of Public Policy and Management was authorized to implement a learning technology fee for its majors in Spring 1997; and

WHEREAS a review of the past year by the Provost's Oversight Committee on Learning Technology Fees has shown the income from that fee to have been invested as planned and the planned past-year improvements in instructional computing services to have been accomplished; and

WHEREAS a survey of public policy and management students has shown substantial satisfaction with the improvements already made; and

WHEREAS the School of Public Policy and Management has monitored the use of computing laboratories and taken steps to increase accessibility as needed by students; and

WHEREAS there is a need to continue the implementation of the School of Public Policy and Management learning technology plan:

NOW THEREFORE

BE IT RESOLVED, That the School of Public Policy and Management is authorized to continue assessing graduate students in the school a learning technology fee. Effective Autumn Quarter 2001 full-time graduate students (8 credit hours or more) will be assessed \$120 per quarter. The fee will be prorated at \$15 per credit hour for graduate students enrolled for less than 8 credit hours. This represents no change in computing fees from FY00. For subsequent years the learning technology fee will be limited to 10 percent of the resident undergraduate tuition and the prorated fees for students who are not full-time will be adjusted correspondingly; and

**CONTINUATION OF LEARNING TECHNOLOGY FEE
IN THE SCHOOL OF PUBLIC POLICY AND MANAGEMENT (contd)**

BE IT FURTHER RESOLVED, That the use of the School of Public Policy and Management computer laboratory fee will be reviewed by the Provost's Oversight Committee on Learning Technology Fees, and subject to annual approval by the Board of Trustees, until the fee is eliminated or replaced by a University-wide learning technology fee.

**CONTINUATION OF LEARNING TECHNOLOGY FEE
IN THE COLLEGE OF NURSING AND COLLEGE OF THE ARTS**

Resolution No. 2001-152

Synopsis: Authorization to continue with a learning technology fee in the College of Nursing and the College of the Arts is proposed.

WHEREAS the College of Nursing and the College of the Arts were authorized to implement a learning technology fee for its majors in Summer 2000; and

WHEREAS a review of the past year by the Provost's Oversight Committee on Learning Technology Fees has shown the income from that fee to have been invested as planned and the planned past-year improvements in learning technology services to have been accomplished; and

WHEREAS a survey of nursing and arts students has shown substantial satisfaction with the improvements already made; and

WHEREAS the College of Nursing and the College of the Arts have monitored the use of computing laboratories and taken steps to increase accessibility as needed by students; and

WHEREAS there is a need to continue the implementation of the College of Nursing and the College of the Arts learning technology plans:

NOW THEREFORE

BE IT RESOLVED, That the College of Nursing and the College of the Arts are authorized to continue assessing undergraduate majors and graduate students in these colleges a learning technology fee. Effective Autumn Quarter 2001 full-time undergraduate majors and graduate students will be assessed \$43 per quarter. The fee will be prorated at \$3 per credit hour for undergraduate majors enrolled for fewer than 12 credit hours and \$5 per credit hour for graduate students enrolled for fewer than 8 credit hours. This represents no change in computing fees from FY00; and

BE IT FURTHER RESOLVED, That the use of the College of Nursing and the College of the Arts learning technology fees will be reviewed by the Provost's Oversight Committee on Learning Technology Fees, and subject to annual approval by the Board of Trustees, until the fees are eliminated or replaced by a University-wide learning technology fee.

Upon motion of Judge Duncan, seconded by Ms. Hendricks, the Board of Trustees adopted the foregoing resolutions by unanimous roll call vote, cast by Messrs. Brennan, Patterson, Sofia, Slane, McFerson, and Judge Duncan, Ms. Longaberger, Ms. Hendricks, and Ms. Davidson.

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STUDENT RECOGNITION AWARD

Mr. Filiatraut:

Periodically during the year, I've brought before this Board students nominated by the dean of their college to receive the Student Recognition Award. Each time I have done so, the Board has been introduced to an incredible person and today is no different.

Kefla H. George is a candidate for a Doctor of Optometry degree from the College of Optometry and is an outstanding student in the field of optometry. In fact, she will graduate next week with at least a 3.69 GPA. She has been an optometric assistant to Columbus optometrists, as well as for an optometrist in New Orleans. Kefla has also worked in the optometry clinic at Randolph Air Force Base in San Antonio, Texas, and spent a summer researching the effects of strabismic amblyopia on ocular dominance cone structure.

She has published posters at the annual meetings of the American Academy of Optometry and the Society of Neuroscience. As part of her studies, Kefla completed her Master's thesis on "The Point of Subjective Equality Between Verne A Acuity Contrast Discrimination as a Possible Predictive Measure of Amblyopia." Kefla is a member of the National Optometric Student Association, as well as the American Optometric Student Association, and has worked on diversity initiatives. She is also a member of the Optometric Honor Society and is treasurer of the International Optometric Honor Society.

If I were to sum up what I believe to be the most impressive thing that I know about Kefla, it would be the commitment she has to using her talents as a skilled professional to serve others. She was a volunteer at both the Junior Olympics and the Special Olympics World Games, where she did free vision screening for the athletes. She spent three months in the external clinic rotation at, among other places, the Columbus VA and Faith Mission homeless shelter. Her long-term goal is to open a community health care facility where the homeless and those who cannot afford health care can go and receive care for not only their eyes, but also to receive medical, dental, and pharmaceutical help as well.

Kefla, on behalf of President Kirwan, Chairman Brennan, and the Board of Trustees, I congratulate you on your accomplishments and wish you the best of luck in achieving your goals as I present you with the Student Recognition Award. Congratulations.

Ms. Kefla A. George:

I'd like to thank everyone for this recognition. It's a privilege and an honor to be considered for such an award, and definitely even more wonderful to actually receive such recognition.

The experiences that I've received at The Ohio State University College of Optometry have been wonderful. My leadership roles and my service that I've participated in is definitely an excellent foundation and a springboard for which I anticipate bigger, better, and more successful things in the future. I anticipate a very successful and fulfilling career in optometry.

Thank you so much for this recognition.

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REPORT ON FY 2001-02 COMPENSATION GUIDELINES

Provost Edward J. Ray:

I won't repeat the comments that the President made in his opening remarks, except in summary fashion. As the President indicated, we have made a commitment to a one-time health insurance premium credit for all staff earning below \$30,000 annually, which is part of the resolution that we bring forward. We're also bringing forward a proposal to provide approximately \$395 annually to all regular faculty and staff with a 75-100 percent appointment and an appropriate adjusted rate for those who hold below a 75 percent appointment. We expect that that will cover -- as indicated in Attachment C of the materials that you have -- the cost of the health benefit cost increases that faculty and staff will face, as well as parking costs.

As a separate matter, I asked a group to look into what health benefits are provided at other universities? I'd like to especially thank Larry Lewellen, from the Office of Human Resources; Susan Huntington, dean of the Graduate School; Ron Meyers, president of the Council of Graduate Students; Mary Daniels, from the Office of Student Affairs, and others who worked on assessing the health benefit cost needs of our students and comparative analysis. As a consequence of that study, we're also proposing a number of changes that affect graduate students and graduate associates.

One change is to increase graduate associate stipends \$10 a month, and to raise the minimum graduate associate stipend to \$900 per month. This implementation would be over a three-year period of cost sharing of health benefit costs to graduate associates, beginning with \$15 a month this year. The expectation is that over a three-year period, we'll be providing \$50 a month in support from the University for those health benefit costs. We think that will cover approximately 50 percent of the health benefit costs of our graduate students.

The President also indicated in his opening remarks that we're not very pleased with where we are with respect to the compensation recommendations. He will be back with specific recommendations in October for how we could proceed to map a better course for compensation over the next several years to get us back to the midpoint of compensation rates with our benchmark peer institutions.

If I could call your attention to any of the materials that you have in the packet that we've provided for you, I would point to Attachment B. This talks about selected cost increases as a percentage of payroll at the University to help explain why we're in the particular situation that we are. We talk about the fact that the monies above the traditional tuition cap of six percent are being dedicated to improve the quality of the student experience inside and outside the classroom and substantial increases in student financial aid.

Again, as the President has indicated, the University's share of health insurance costs for faculty and staff has risen approximately 37 percent this year and costs for natural gas are up also. Those costs, in combination, claim approximately 4.8 percent of the general fund's monies. It's important to understand that compensation is not a residual around here, as the President indicated. It is our first priority, but we do have to pay the bills.

Whether we are pleased with it or not -- with the rapid deterioration in the budget situation in the state over the last few months -- this is the position we find ourselves in. As the President indicated, we are committed to come back with a concrete proposal for moving us back to competitive compensation rates over the next three or four years.

REPORT ON FY 2001-02 COMPENSATION GUIDELINES (contd)

Provost Ray: (contd)

Let me stop there and see if Bill Shkurti would like to add anything, and then we'll entertain any questions you might have.

Mr. William J. Shkurti:

I think the Provost covered the compensation topic adequately.

Dr. Ray:

Are there any questions on the compensation resolution?

Mr. Brennan:

Any questions on the compensation resolution?

FISCAL YEAR 2001-02 COMPENSATION GUIDELINES

Resolution No. 2001-153

Synopsis: Compensation guidelines for FY 2001-02 are proposed.

WHEREAS the current budget expires on June 30, 2001; and

WHEREAS the Ohio House and Senate each has passed its version of the state budget for the 2001-2003 biennium; and

WHEREAS certain cost increases, such as for benefits and parking, affecting faculty and staff are now known; and

WHEREAS the University desires to implement at least a minimal pay increase for FY 2002 to help lessen the impact of these increases; and

WHEREAS the University has granted a one-time health insurance premium credit for those employees whose annual salary is \$30,000 or less; and

WHEREAS salary increases for bargaining unit employees already are in place in accordance with their contracts; and

WHEREAS appropriate consultations have taken place throughout the University and a compensation adjustment to help lessen the impact of benefits and parking increases has the support of the Coordinating Council and the Planning Cabinet:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees approves an annual increase in compensation of approximately \$395 for all regular faculty and non-bargaining unit staff employed at 75% to 100% time and meeting performance expectations, and an annual increase of approximately \$270 for all regular faculty and non-bargaining unit staff employed at 50% to 74% time and meeting performance expectations, effective July 1, 2001, as described in the attached materials; and

BE IT FURTHER RESOLVED, That the University will provide \$15 per month, for each month that a student is paid a stipend, toward student health insurance for graduate associates; and

BE IT FURTHER RESOLVED, That graduate associate stipends will increase by \$10 per month and that the minimum graduate associate stipend will increase to \$900 per month; and

FISCAL YEAR 2001-02 COMPENSATION GUIDELINES (contd)

BE IT FURTHER RESOLVED, That the President will report to the Board of Trustees at the October meeting on a plan for restoring faculty and staff salaries to market levels.

Upon motion of Mr. Patterson, seconded by Mr. Sofia, the Board of Trustees adopted the foregoing resolution by unanimous roll call vote, cast by Messrs. Brennan, Patterson, Sofia, Slane, McFerson, and Judge Duncan, Ms. Longaberger, Ms. Hendricks, and Ms. Davidson.

(See Appendix XLIII for background information, page 1065.)

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REPORT ON FY 2001-02 TUITION AND FEES

Provost Edward J. Ray:

I'd like to turn to Mr. Shkurti to discuss the FY 2001-2002 tuition increases.

Mr. William J. Shkurti:

You have before you a resolution to approve tuition and fees for 2002. These were discussed in detail in the Fiscal Affairs Committee meeting, so I'll just summarize a couple of main points.

Point number one is that, although we're calling for an increase in tuition, we're not doing it just to raise fees, but as part of an effort strategically to lift the University to the next level so we can provide a first-rate education for our students. I think the outstanding faculty members and the student we honored today give a human example of what it is we're striving to achieve. We hope in doing this that we can provide our students the advantages of a large institution, in terms of choice and the ability to be involved in a number of interdisciplinary efforts, but also with the personal attention that is traditionally associated with a smaller institution. Although this is not solely a financial and resource issue, resources come into play as well.

That brings me to my second point, with which I know the Board is familiar. When you compare Ohio State University to institutions with a similar mission, we don't have the resources they do. Some of that we can make up by doing things differently and more efficiently, but at some point you have to have the horses to carry the carriage in the race that you're in.

As we look at our tuition, particularly for resident undergraduates, we're 8th out of the 13 institutions in the state. And we're in a similar position if you compare us to the Big Ten institutions out of the state. So even though we're recommending what is historically a large percentage increase in undergraduate tuition today, it is really what we need to simply stay competitive and to improve the institution. Even after these increases, we'll still remain an excellent bargain and a high quality institution for the price.

The third point I would make is that this effort regarding our plans on tuition and improving the institution is part of a multi-year plan that was developed as part of the Academic Plan in the fall. As the President mentioned, the deteriorating state budget picture since then has affected our ability to do all the things we want, but there are still things that are important enough that we need to move ahead with. Fortunately in this particular case, the proposal that we made regarding undergraduate tuition that the Governor submitted in his budget will allow us to take steps forward in improving our undergraduate education.

REPORT ON FY 2001-02 TUITION AND FEES (contd)

Mr. Shkurti: (contd)

At the time the proposal was developed, the assumption was tuition caps would remain and we had requested an exemption, which the Governor agreed to. Now it appears -- since the General Assembly has passed the budget bill and sent it on to the Governor -- that there will not be any tuition caps in the coming biennium. However, our proposal remains as it was when originally developed in the fall, which is requesting an increase of 9.3 percent in undergraduate tuition. The amount above the traditional cap will go to directly benefit improvements in the undergraduate education and there will be a corresponding increase in student financial aid. In fact, we'll broaden the number of students eligible for student financial aid, so that for students who are otherwise qualified academically to come to Ohio State, finances will not be a barrier.

The final point I'd like to make -- and the President alluded to this in his remarks, as well -- is that although the state budget now has been passed by the Legislature -- and presumably will be shortly signed by the Governor -- we're in a somewhat fluid situation, budget-wise and economically, both for the University and for the state. So the recommendations that Ed and I have presented today, we think, are prudent and can be financed within the resources we expect to be available. But in this very uncertain budget environment, there is no guarantee that we won't be back here in three months or six months or nine months having to make whatever changes are appropriate. If we have to do that, we will keep in mind our first goal, which is to protect the academic core of the institution and to continue to make progress in those things that are most important.

Mr. Chairman, that concludes my presentation. Ed, would you like to add anything?

Provost Ray:

Mr. Chairman, let me make two quick points. First, we'll be back at the next Board meeting to talk about the Regional Campuses' tuition recommendations for the coming academic year. As you know, the budget implications of changes in Access Challenge are still being sorted out among our colleagues at the Regional Campuses, but we expect to be back in a few weeks with specific recommendations. The recommendations today are for the Columbus Campus.

The second point that I would make is, if one presumes that the other Ohio universities increase their tuition the historical 6 percent rate, as if caps were there, this proposed increase will move us from 8th place to 7th place. That concludes my remarks.

Mr. Brennan:

Any questions from the Board? Mr. Patterson --

Mr. Patterson:

Thank you, Mr. Chairman. I would like to point out that the question was properly raised in the Fiscal Affairs Committee meeting in that the Governor has not actually signed the budget bill and it is not final. So the resolution before us has written in one of the "WHEREAS" clauses that it is contingent upon that being done.

Mr. Brennan:

Thank you, Mr. Patterson. Any further discussion or questions?

FISCAL YEAR 2001-02 TUITION INCREASE

Resolution No. 2001-154

Synopsis: Tuition and other fee increases for Fiscal Year 2001-02 are proposed.

WHEREAS the current budget expires on June 30, 2001; and

WHEREAS the Ohio General Assembly has passed the state budget for the 2001-2003 biennium and forwarded it to the Governor, and that budget includes elimination of the state mandated tuition fee caps; and

WHEREAS it is the University's intent to increase the combined FY 2001-02 general and instructional fees for in-state undergraduates at the Columbus Campus by 9.3% in order to improve its undergraduate education and experience; and

WHEREAS consultations with the professional colleges have taken place to determine the level of their Instructional fee increases above a 5.0% base; and

WHEREAS consultations continue to take place for the Regional Campus instructional, general and nonresident fees in view of changes in the state budget regarding Access Challenge funding at the Regional Campuses:

NOW THEREFORE

BE IT RESOLVED, That instructional and general fees for the Columbus Campus be increased by 9.3% for Fiscal Year 2001-02, contingent upon removal of or exemption from the fee cap as contained in the enacted state budget and that the professional instructional, general, nonresident and other fees be increased in accordance with the attached materials.

Upon motion of Mr. Patterson, seconded by Mr. Sofia, the Board of Trustees adopted the foregoing resolution by unanimous roll call vote, cast by Messrs. Brennan, Patterson, Sofia, Slane, McFerson, and Judge Duncan, Ms. Longaberger, Ms. Hendricks, and Ms. Davidson.

(See Appendix XLIV for background information, page 1071.)

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Thereupon the Board adjourned to meet Friday, June 29, 2001, at The Ohio State University Parker Food Science and Technology Building, Columbus, Ohio.

Attest:

William J. Napier
Secretary

David L. Brennan
Chairman

**The Ohio State University
Office Of Human Resources**

**SUMMARY OF PROPOSED REVISIONS OF
THE CLASSIFIED CIVIL SERVICE RULES**

The Ohio State University Office of Human Resources has prepared proposed amendments, deletions and additions to the rules that govern classified civil service ("CCS") employment at the University. The CCS rules were last revised in 1997. Since that time, various statutory changes have occurred that necessitate the further revision of these rules. The Ohio State University may expand upon, but not decrease, a benefit provided by statute to CCS employees.

REVISIONS

The language and content throughout the rules have been revised in the following manner:

- The language is clarified and made grammatically correct;
- The rules are updated to be consistent with University policies and practices; and
- The rules are updated to be consistent with federal and state statutory changes.

The following summary provides a brief explanation of other changes made to the rules, chapter by chapter:

Chapter 49: Procedure for Adoption, Amendment or Rescission of Rules

- In accordance with a statutory amendment, the procedures governing the adoption of the CCS rules is changed to comply with section 111.15 of the Revised Code.

Chapter 51: Reclassification; Certification

- The language is clarified to reflect use of "certified status" as a term of art.

Chapter 55: Classification Program

- The University's classification plan is updated.
- All classifications (including broadbanded classifications) must have a function statement setting forth the mandatory duties of the position that must be satisfied at least 50 per cent of the time.

Chapter 57: Applications

- Employees terminated for cause from University service are ineligible permanently for reemployment with the University.

Chapter 59: Examinations

- The requirement to publicly post examination notices with the Clerk of Court of Common Pleas in the district or county in which the employment is located is deleted.
- Preemployment medical and psychological examination reports shall be maintained as confidential records to the extent allowable pursuant to Section 149.43 and Chapter 1347 of the Revised Code.

Chapter 63: Eligible Lists

- The language is clarified to reflect use of "certified eligible applicant" as a term of art.

Chapter 65: Appointments

- The language is clarified to reflect use of "certified eligible applicant" as a term of art.
- The ability of seasonal employees to apply for other positions within the University as an internal or external candidate is clarified.
- The language is clarified to reflect that an employee who was appointed provisionally and who has achieved certified status is not later subject to displacement by a person from an eligibility list.

Chapter 67: Probationary Period

- In accordance with a statutory change, employees may be terminated or returned to their former classification, whichever is applicable, at any time during the probationary period. Such action is not subject to appeal to the State Personnel Board of Review.
- An employee terminated from employment during a probationary period, except when terminated for cause, is not eligible to reapply for the same or higher classification for a period of one year from the termination date unless restored to the eligibility list at the discretion of the Office of Human Resources.
- An employee terminated for cause from University service is permanently ineligible for reemployment with the University.

Chapter 71: Promotions

- The University may reassign an employee's work location within the same jurisdiction of the University. The University will provide reasonable notice of the reassignment prior to the effective date of the change, except when an emergency renders advance notice impractical.
- An employee must have achieved certified status in the current classification prior to being eligible to apply for promotion or transfer.

Chapter 73: Leave Policies

- Terms regarding leaves due to disability are incorporated into the rule regarding unpaid leaves of absence.
- Terms regarding reinstatement to employment are incorporated from the leaves due to disability rule into the rules governing voluntary and involuntary disability separation.
- In accordance with a statutory amendment, employees who are voluntarily separated from employment due to disability may appeal such separation to the State Personnel Board of Review within ten (10) days of receiving the determination of disability separation.
- The ability to place an employee on administrative leave is added to the CCS rules.
- Military leave is revised in accordance with the Uniformed Services Employment and Reemployment Rights Act.

Chapter 75: Performance Management; Removals, Suspensions, Demotions

- In accordance with a statutory amendment, the University may impose a fine of not more than five (5) days pay as part of a corrective action plan.

- In accordance with a statutory amendment, provisions are added regarding the employment of an individual who has been convicted of a felony.

Chapter 79: Sick Leave

- The categories of employees who receive sick leave is revised to be in accordance with University policy.
- The definition of “immediate family” is revised to parallel University policy.
- Employee medical and psychological examination reports shall be maintained as confidential records to the extent allowable pursuant to section 149.43 and Chapter 1347 of the Revised Code.

Chapter 81: Reduction in Force

- In accordance with a statutory amendment, the order of layoff in terms of the nature of the appointment is revised.
- The order of layoff in terms of employees who have/have not achieved certified status is clarified.

Chapter 83: Payroll and Compensation

- Holiday compensation is clarified for full-time and part-time employees.

Chapter 89: Definitions of Terms

- The following definitions are added: appointing authority, certified status, certified eligible applicant, day, for cause, original appointment, reassignment, termination, transfer.

TO BE RESCINDED

~~3335-49-01 Procedure for adoption, amendment or rescission of rules affecting persons in the classified civil service at the Ohio state university.~~

~~(A) The adoption, amendment or rescission of any rule affecting employees in the classified civil service at the Ohio state university shall comply with the provisions of section 119.03 of the Revised Code.~~

~~(B) Public notice as to the adoption, amendment or rescission of rules shall be given in accordance with the following procedure:~~

~~(1) Any public notice shall include:~~

~~(a) A statement of intention to consider the adoption, amendment or rescission of such rule;~~

~~(b) A general statement of the subject matter to which the proposed rule relates;~~

~~(c) A statement of the reason or purpose for adopting, amending or rescinding such rule;~~

~~(d) The date, time and place of the public hearing, as required by Chapter 119. of the Revised Code, to consider the adoption, amendment or rescission of the rule, which shall not be earlier than thirty days after the filing of the proposed rule.~~

~~(2) Such public notice shall be printed at least thirty days prior to such hearing in a major newspaper in the following cities:~~

~~(a) Newark;~~

~~(b) Marion;~~

~~(c) Mansfield;~~

~~(d) Columbus;~~

~~(e) Lima; and~~

~~(f) Wooster.~~

~~(3) Such public notice, together with a copy of the full text of the proposed rule, amendment, or rule to be rescinded shall be filed as follows:~~

~~(a) One copy with the secretary of state;~~

~~(b) Two copies with the legislative service commission;~~

~~(c) Two copies with the state personnel board of review;~~

~~(d) One copy with the department of administrative services at least thirty days, but no more than fifty days, prior to such hearing.~~

~~(4) Such public notice, together with a copy of the full text of the proposed rule, amendment or rule to be rescinded shall be posted in the office of human resources at least thirty days prior to such hearing.~~

~~(C) Distribution of proposed rule changes: the office of human resources shall make a reasonable effort to post copies of the public notice in areas easily accessible to employees who may be~~

adversely affected by the adoption, amendment or rescission of any rule at least thirty days prior to the public hearing.

- (D) ~~Public hearing: The hearing shall be open to the public at which time any interested persons, or their representative, affected by the proposed action will be given an opportunity to present testimony, orally or in writing, regarding whether the proposed rule changes, if adopted or amended, will be unreasonable or unlawful. A stenographic record of the proceedings shall be made. Following the public hearing, the record shall be left open, for a reasonable period of time, for the submission of additional written comments or testimony. The appointing authority shall consider all testimony or other evidence presented at the hearing and submitted as part of the record.~~
- (E) ~~Distribution of adopted rules.~~
- (1) ~~At least ten days prior to the effective date, all rule(s) in their final form shall be filed as follows:~~
- (a) ~~Two copies with the secretary of state;~~
- (b) ~~Two copies with the legislative service commission;~~
- (c) ~~Two copies with the state personnel board of review;~~
- (d) ~~One copy with the department of administrative services.~~
- (2) ~~The office of human resources shall make available the full text of the rule or rules as adopted or amended to any person upon request.~~
- (3) ~~The office of human resources shall make a reasonable effort to post notices of any final rule for the employees who may be adversely affected by the adoption, amendment or rescission of such rule within thirty days after its adoption.~~

NEW RULE

3335-49-01 PROCEDURE FOR ADOPTION, AMENDMENT OR RESCISSION OF RULES AFFECTING PERSONS IN THE CLASSIFIED CIVIL SERVICE AT THE OHIO STATE UNIVERSITY.

- (A) THE ADOPTION, AMENDMENT OR RESCISSION OF ANY RULE AFFECTING EMPLOYEES IN THE CLASSIFIED CIVIL SERVICE AT THE OHIO STATE UNIVERSITY SHALL COMPLY WITH THE PROVISIONS OF SECTION 111.15 OF THE REVISED CODE.
- (B) THE PROPOSED NEW, AMENDED OR RESCINDED RULES SHALL BE PRESENTED TO THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES FOR APPROVAL.
- (C) AFTER THE OHIO STATE UNIVERSITY BOARD OF TRUSTEES HAS APPROVED THE PROPOSED RULES, AND AT LEAST TEN DAYS PRIOR TO THE EFFECTIVE DATE, ALL RULE(S) IN THEIR FINAL FORM SHALL BE FILED AS FOLLOWS:
- (1) EFFECTIVE OCTOBER 1, 2001 AND EXPIRING MARCH 31, 2002, ONE ELECTRONIC AND ONE PAPER COPY OF THE FINAL RULES SHALL BE FILED WITH BOTH THE SECRETARY OF STATE AND THE LEGISLATIVE SERVICE COMMISSION;
- (2) EFFECTIVE APRIL 1, 2002, THE FINAL RULES SHALL BE FILED ELECTRONICALLY WITH BOTH THE SECRETARY OF STATE AND THE LEGISLATIVE SERVICE COMMISSION.
- (D) THE OFFICE OF HUMAN RESOURCES SHALL MAKE A REASONABLE EFFORT TO NOTIFY EMPLOYEES WHO MAY BE AFFECTED BY THE ADOPTION, AMENDMENT OR RESCISSION OF ANY RULE. THE OFFICE OF HUMAN RESOURCES SHALL MAKE AVAILABLE THE FULL

TEXT OF THE RULE OR RULES AS ADOPTED OR AMENDED TO ANY PERSON UPON REQUEST.

AMENDED RULES

3335-51-03 Certified status.

- (A) An employee ~~regularly~~ appointed from an ~~eligibility~~ ELIGIBLE list ~~is~~ ACHIEVES certified STATUS in that classification ~~and is required to serve~~ AFTER SERVING the probationary period for that classification stated in rule 3335-67-02 of the Administrative Code.
- (B) An employee provisionally appointed ~~becomes~~ ACHIEVES certified STATUS in that classification ~~according to the time stated in~~ ACCORDANCE WITH THE PROVISIONS OF rule 3335-65-11 of the Administrative Code.
- (C) Certified status is not available to employees who serve at the discretion of the appointing authority.

3335-51-04 Retention of certified status.

- (A) ~~A certified employee who receives a classification change due to a change in the classification plan retains certified status provided the employee was certified under the former plan at the time of the classification change.~~
- (B)(A) ~~A certified~~ AN employee WITH CERTIFIED STATUS who receives a classification change shall retain certified status if:
 - (1) ~~the~~ THE change is DUE TO A CHANGE IN THE CLASSIFICATION PLAN₁
 - (2) THE CHANGE IS to a THE SAME OR LOWER classification within the ~~employee's same~~ classification series, ~~or~~
 - (3) ~~if the~~ THE reclassification is to a classification ~~outside of the employee's classification series but is to a classification~~, if any, determined by rule 3335-51-05 of the Administrative Code to be a classification with duties the same as or similar to those of the classification held by the employee immediately prior to the classification change₁, OR
 - (4) THE EMPLOYEE IS RECLASSIFIED AS A RESULT OF A JOB AUDIT OR REVIEW₁ IN WHICH CASE THE EMPLOYEE SHALL HAVE CERTIFIED STATUS IN THE NEW CLASSIFICATION WITHOUT SERVING A NEW PROBATIONARY PERIOD₁
- (C) ~~If a position held by a classified employee is reclassified as a result of a job audit or review to a classification series outside of the one in which the employee is certified, the employee shall be treated as having received a classification change for purpose of the application of this rule, shall not serve a probationary period and shall have certified status in the new classification.~~
- (D)(B) At the discretion of the university, ~~a certified~~ AN employee WITH CERTIFIED STATUS may:
 - (1) Be re-employed or reinstated within one year of separation from service;
 - (2) Displace into a former classification held within the past five years pursuant to Chapter 3335-81 of the Administrative Code; or
 - (3) Accept an unclassified appointment₁ at which time certified status expires.

3335-51-05 Determination of classifications with same or similar duties.

The office of human resources has determined that there are no classifications ~~which~~ THAT have the same or similar duties for purposes of transferring certification or for exercising displacement procedures.

3335-55-03 Classification plan.

- (A) The university shall establish, modify, or repeal, by rule, a job classification plan for all positions, offices, and ~~employments~~ EMPLOYMENT in the classified civil service.
- (B) The university shall assign a classification title to each classification within the classification plan.
- (C) The university shall assign each classification to a pay range established under Chapter 3335-83 of the Administrative Code.
- (D) The university shall assign a numbering system for the classification process.
- (E) The following are the classifications to which the university shall assign all positions within the classified service which have not yet been reclassified under the broadbanded classification plan in rule 3335-55-08 of the Administrative Code:

Position classifications at
the Ohio state university

Pay range	Class	Title description
	10000	Account clerk series
24	10001	Account clerk 1
26	10002	Account clerk 2
27	10003	Account clerk 3
29	10004	Account clerk supervisor
	11000	Accounting series
27	11001	Accountant 1
29	11002	Accountant 2
31	11003	Accountant 3
33	11004	Accounting manager 1
	11100	Administrative series
28	11101	Administrative assistant 1
30	11102	Administrative assistant 2
	11110	Agricultural technician series
03	11111	Agricultural aide 1
04	11112	Agricultural aide 2
25	11113	Agricultural technician 1
26	11114	Agricultural technician 2
	12000	Air quality technician series
05	12001	Assistant air quality technician
07	12002	Air quality technician 1
08	12003	Air quality technician 2
	12100	Aircraft maintenance and operations series
06	12101	Aircraft attendant
09	12102	Aircraft mechanic 1
10	12103	Aircraft mechanic 2
	12110	Architectural series
29	12112	Architect associate
	12150	Animal aide/caretaker series
23	12151	Laboratory animal aide
23	12152	Animal caretaker
25	12153	Animal caretaker supervisor
26	12154	Animal caretaker coordinator

	12160	Animal health technician series
27	12161	Animal health technician
28	12162	Senior animal health technician
	12200	Audio/visual technician series
24	12201	Audio/visual technician
26	12202	Audio/visual repair worker
27	12204	Audio/visual services supervisor 1
28	12205	Audio/visual services supervisor 2
	12210	Automotive trades series
05	12211	Assistant automotive mechanic
07	12212	Automotive mechanic 1
08	12213	Automotive mechanic 2
29	12214	Automotive mechanic 3
	13000	Boiler operations series
04	13001	Boiler maintenance worker
06	13003	Boiler operator 2
06	13004	Boiler repair worker
07 08	13005	Boiler engineer
	13100	Broadcasting technicians series
06	13101	Broadcasting technician 1
07	13102	Broadcasting technician 2
29	13103	Broadcasting technician 3
	13110	Budget/management series
30	13111	Budget/management analyst 1
	13220	Building maintenance series
04	13221	Maintenance repair worker 1
05	13222	Maintenance repair worker 2
27	13223	Building maintenance supervisor
06	13224	Maintenance inspector
06	13225	Traffic & parking maintenance worker
07	13226	Maintenance repair worker 3
08	13227	Building systems inspector
06	13223	MAINTENANCE INSPECTOR
06	13224	TRAFFIC & PARKING MAINTENANCE WORKER
07	13225	MAINTENANCE REPAIR WORKER 3
08	13226	BUILDING SYSTEMS INSPECTOR
27	13227	BUILDING MAINTENANCE SUPERVISOR
29	13228	Building maintenance superintendent 1
31	13229	Building maintenance superintendent 2
	13250	Building operations technician series
00 08	13251	Building operations technician 1
00 11	13252	Building operations technician 2
	13300	Business management series
28	13301	Business services officer 1
29	13302	Business services officer 2
	13310	Carpentry series
05	13311	Assistant carpenter
07	13312	Carpenter 1
08	13313	Carpenter 2
29	13314	Carpentry supervisor

	13320	Cash collection and distribution series
23	13321	Cashier 1
25	13322	Cashier 2
27	13323	Cashier supervisor
	13330	Chemist series
28	13331	Chemist 1
29	13332	Chemist 2
31	13334	Chemical laboratory supervisor 1
	13400	Childcare series
22	13401	Early childhood teaching asst ASSISTANT 1
22	13402	Early intervention aide
23	13403	Early childhood teaching asst ASSISTANT 2
	13500	Clerk residence and dining series
02	13501	Clerk 1-- r&d <u>R&D</u>
03	13502	Clerk 2-- r&d <u>R&D</u>
	114000	Clothing series
02	14001	Fabric worker 1
03	14002	Fabric worker 2
	14010	Collections series
27	14011	Financial collection specialist
	14100	Communication technician series
25	14101	Communication technician 1
28	14102	Communication technician 2
29	14103	Communication technician 3
	14110	Computer operator series
27	14111	Computer operator 1
27	14112	Computer operations & production technician 1
28	14113	Computer operator 2
28	14114	Computer operations & production technician 2
29	14115	Computer operator 3
29	14116	Computer operations & production technician 3
29	14117	Computer operation supervisor 1
30	14118	Computer operator 4
30	14119	Computer operations & production supervisor
30	14120	Computer operation supervisor 2
	14150	Construction technician series
00 08	14151	Construction technician 1
00 11	14152	Construction technician 2
00 12	14153	Construction technician 3
	14200	Cultural support series
24	14201	Library assistant
25	14202	Library media technical assistant 1
26	14203	Library media technical assistant 2
27	14204	Library associate 1
28	14205	Library associate 2
28	14206	Medical records librarian
	14210	Data entry series
23	14211	Data entry operator 1
24	14212	Data entry operator 2
25	14213	Data entry operator 3

27	14214	Data entry supervisor 1
	14220	Data librarian series
24	14221	Data librarian 1
	14300	Data processing series
23	14301	Data processor 1
24	14302	Data processor 2
25	14303	Data processor 3
26	14304	Data processing supervisor 1
27	14305	Data processing supervisor 2
29	14306	Data systems coordinator 1
30	14307	Data systems coordinator 2
32	14308	Data systems coordinator 3
	14310	Data technician series
24	14311	Data technician 1
25	14312	Data technician 2
27	14313	Data technician supervisor
27	14314	Data control technician
	14320	Delivery worker series
04	14321	Delivery worker 1
05	14322	Delivery worker 2
	14330	Dental technology series
24	14331	Dental assistant 1
26	14332	Dental assistant 2
28	14333	Dental assistant 3
	14340	Dairy worker series
04	14341	Dairy worker 1
06	14342	Dairy worker 2
	14400	Design and drafting series
25	14401	Drafting technician 1
27	14402	Drafting technician 2
29	14404	Design technician 1
31	14405	Design technician 2
	14410	Dietary series
<u>02</u>	<u>14411</u>	<u>NUTRITION AIDE</u>
23	14411	Nutritionist specialist
24	14412	Nutritionist aide
<u>23</u>	<u>14413</u>	<u>NUTRITIONIST SPECIALIST</u>
	14420	Duplicating and printing series
25	14421	Printing machine operator 1
25	14422	Bindery operator 1
26	14423	Printing technician 1
26	14424	Printing machine operator 2
28	14425	Printing technician 2
28	14426	Printing machine operator 3
29	14427	Printing supervisor 1
30	14428	Printing supervisor 2
	14430	Electrician series
05	14431	Assistant electrician
07	14432	Electrician 1
08	14433	Electrician 2

	14440	Electronic technology series
27	14441	Electronic technician 1
28	14442	Electronic technician 2
29	14443	Electronic technician 3
	15000	Employment services series
27	15001	Employment services interviewer
27	15002	Employee benefits coordinator 1
30	15003	Payroll officer
	15200	Equipment maintenance series
28	15201	Equipment maintenance supervisor
30	15202	Equipment maintenance superintendent 1
31	15203	Equipment maintenance superintendent 2
	15220	Farm maintenance series
04	15221	Farm laborer 1
06	15222	Farm laborer 2
28	15223	Farm manager 1
29	15224	Farm manager 2
	15230	Facilities support services series
28	15231	Facilities support services specialist
	15310	Fiscal management series
29	15311	Budget officer 1
30	15312	Fiscal officer 1
32	15314	Fiscal officer 2
	15320	Food management series
01	15321	Food service worker
01	15322	Food service attendant
04	15323	CATERING OPERATIONS ASSISTANT
04	15323 15324	Food service supervisor 1
26	15324 15325	Food service supervisor 2
27	15325 15326	Food service manager 1
28	15326 15327	Food service manager 2
30	15327 15328	Food service manager 3
	15330	Food preparation series
02	15331	Food preparation worker
03	15332	Cook 1
04	15333	Baker 1
05	15334	Cook 2
06	15335	Baker 2
	15400	General clerical series
22	15401	Clerk 1
23	15402	Clerk 2
25	15403	Clerical specialist
26	15404	Clerical supervisor
28	15405	Office manager 1
29	15406	Office manager 2
	15410	Grants coordinator series
27	15412	Student financial aid specialist
27	15413	Student services counselor
	15420	Graphic arts series
27	15421	Graphic artist

28	15422	Layout design artist
	15430	Grounds maintenance series
24	15431	Golf course worker 1
04	15432	Groundskeeper 1
05	15433	Groundskeeper 2
26	15434	Golf course worker 2
06	15435	Groundskeeper 3
08	15436	Groundskeeper supervisor
29	15437	Golf course supervisor
	15440	Housekeeping services series
01	15441	Elevator operator
02	15442	Custodial worker
04	15443	Custodial work supervisor
25	15444	Housekeeping manager 1
27	15445	Housekeeping manager 2
28	15446	Assistant superintendent of buildings
29	15447	Housekeeping manager 3
30	15448	Superintendent of buildings
30	15449	Manager-environmental services
	15500	Institutional security series
23	15501	Security officer 1 COMMUNITY SERVICE OFFICER
26	15502	Security officer 2
27 26	15503	Security officer 3
28	15504 <u>15505</u>	Security supervisor
	15520	Inventory control series
26	15521	Inventory control specialist 1
28	15522	Inventory control specialist 2
	15530	Laboratory animal technology series
24	15531	Laboratory animal technician 1
27	15532	Laboratory animal technician 2
28	15533	Laboratory animal technologist
	15540	Laboratory machinist series
28	15541	Laboratory machinist 1
29	15542	Laboratory machinist 2
	15550	Laboratory technology series
23	15551	Laboratory assistant
24	15552	Laboratory technician 1
25	15553	Laboratory technician 2
27	15554	Laboratory technologist
	16000	Laborer series
02	16001	Laborer
	16110	Locksmith series
05	16111	Assistant locksmith
07	16112	Locksmith 1
08	16113	Locksmith 2
	16200	Maintenance machinist series
05	16201	Assistant maintenance machinist
07	16202	Maintenance machinist 1
08	16203	Maintenance machinist 2

	16210	Machinist series
05	16211	Assistant machinist
07	16212	Machinist 1
08	16213	Machinist 2
29	16214	Machinist supervisor
—	16220	Management analysis series
27	16221	Records management officer 1
28	16222	Management analyst 1
29	16223	Records management officer 2
30	16224	Management analyst 2
	16300	Mason series
05	16301	Assistant mason
07	16302	Mason
	16310	Materials controller series
26	16311	Materials controller 1
27	16312	Materials controller 2
29	16313	Materials controller 3
	16320	Medical technology series
26	16321	Eeg technician
26	16322	Eeg <u>ECG</u> technician
—	16330	Meat preparation series
04	16331	Meatcutter 1
	16340	Microbiologist series
28	16341	Microbiologist 1
29	16342	Microbiologist 2
31	16344	Microbiology supervisor 1
	16350	Medical technology computer series
26	16351	Eeg <u>ECG</u> system operator
	16360	Mechanical technician series
00 <u>07</u>	16361	Mechanical technician 1
00 <u>08</u>	16362	Mechanical technician 2
00 <u>11</u>	16363	Mechanical technician 3
	16400	Miscellaneous clerical series
03	16401	Mail clerk/messenger
04	16402	Mail clerk
26 <u>28</u>	16403	Mail center supervisor
	16410	Miscellaneous maintenance series
05	16411	Exterminator
	16420	Miscellaneous trades series
07	16422	Interior surfaces installer
07	16423	Insulation worker
	16430	Morgue series
25	16431	Morgue attendant
27	16432	Morgue supervisor
	16440	Mover series
04	16441	Mover 1
05	16442	Mover 2
08	16443	Moving supervisor

	16450	Model series
22	16451	Model
	16460	Nurse series
28	16461	Licensed practical nurse- Ces <u>CCS</u>
29	16462	Licensed practical nurse-Pharm, Ces <u>CCS</u>
	16500	Office machine operator series
22	16501	Office machine operator 1
23	16502	Accounting machine operator 1
24	16503	Office machine operator 2
25	16504	Accounting machine operator 2
25	16505	Office machine operator 3
	16510	Painter series
07	16511	Painter 1
08	16512	Painter 2
	16520	Parking facility series
03	16521	Parking facility attendant
27	16522	Parking facility superintendent
	16530	Personnel series
26	16531	Test monitor
26	16532	Personnel aide
28	16533	Personnel technician 1
28	16535	Personnel officer 1
30	16537	Personnel technician 2
30	16538	Personnel officer 2
	16550	Pharmaceutical series
25	16551	Pharmacy attendant
	16560	Photographic series
27	16561	Photographer 1
28	16562	Photographer 2
	16600	Photographic laboratory series
23	16601	Photo laboratory assistant
25	16602	Photo laboratory technician 1
26	16603	Photo laboratory technician 2
28	16604	Photo laboratory supervisor
	16610	Plant operations series
05	16611	Assistant stationary engineer
08	16612	Stationary engineer 1
29	16613	Plant maintenance engineer 1
09	16614	Stationary engineer 2
30	16615	Plant maintenance engineer 2
	16620	Plasterer series
04	16621	Assistant plasterer
07	16622	Plasterer
	16630	Plumber series
05	16631	Assistant plumber
07	16632	Plumber 1
08	16633	Plumber 2
	16640	Police series
50	16641	University law enforcement officer

32	16644	University law enforcement officer supervisor
	16660	Project engineer series
31	16661	Project engineer 1
32	16662	Project engineer 2
33	16663	Project engineer 3
	17000	Project inspector series
26	17001	Project inspector 1
28	17002	Project inspector 2
29	17003	Project inspector 3
	17100	Public information and inquiry series
27	17101	Public inquiries assistant
27	17102	Information writer 1
28	17103	Publication specialist 1
29	17104	Information writer 2
30	17105	Public information specialist
31	17107	Publications editor
	17200	Purchasing series
25	17201	Purchasing assistant 1
26	17202	Purchasing assistant 2
28	17204	Purchasing agent 1
30	17205	Purchasing agent 2
31	17206	Purchasing administrator 1
32	17207	Purchasing administrator 2
	17210	Radio dispatcher series
25	17211	Radio dispatcher 1
26 <u>28</u>	17212	Public safety dispatcher 1
27	17213	Radio dispatcher 2
28 <u>29</u>	17214	Public safety dispatcher 2
	17220	Research vessel operator series
08	17221	Research vessel operator
	17310	Sales service series
22	17311	Sales clerk 1
24	17312	Sales clerk 2
25	17313	Assistant sales manager 1
26	17314	Assistant sales manager 2
26	17315	Sales manager 1
27	17316	Sales manager 2
28	17317	Sales manager 3
	17320	Sheet metal series
05	17321	Assistant sheet metal worker
07	17322	Sheet metal worker 1
08	17323	Sheet metal worker 2
29	17324	Sheet metal supervisor
	17330	Sign shop series
04	17331	Sign worker 1
05	17332	Sign worker 2
07	17333	Sign supervisor 1
08	17334	Sign supervisor 2
30	17335	Sign shop superintendent
	17340	Sponsored programs series

27	17341	Sponsored programs assistant 1
28	17342	Sponsored programs assistant 2
	17420	Steam fitter series
05	17421	Assistant steam fitter
07	17422	Steam fitter
	17430	Stores series
03	17431	Stores clerk
24	17432	Mechanical stores clerk
04	17433	Chemical stores clerk
05	17434	Storekeeper 1
06	17435	Chemical storekeeper 1
27	17436	Storekeeper 2
28	17437	Storekeeper 3
	17440	Surveyor series
28	17441	Surveyor 1
30	17442	Surveyor 2
	17450	Systems technician series
00 07	17451	Systems technician 1
00 08	17452	Systems technician 2
00 12	17453	Systems technician 3
	17500	Telephone operator series
23	17501	Telephone operator 1
24	17502	Telephone operator 2
24	17504	Hospital telecommunications assistant
28	17504	Telephone coordinator
	17510	Therapy and institutional services series
24	17511	Hospital aide
24	17512	Activities aide
04	17513	PATIENT TRANSPORTER
04	17514	Patient services associate
25	17515	Psychiatric aide
25	17516	Therapy aide
05	17517	Perioperative technician
	17520	Treatment plant operations series
06	17521	Treatment plant aide
07	17522	Treatment plant operator
	17530	Traffic control series
26	17532	Traffic control officer
28	17533	Traffic control officer supervisor
	17540	Typing and secretarial series
23	17541	Typist 1
24	17542	Typist 2
25	17545	Technical typist
26	17546	Secretary 1
27	17547	Secretary 2
28	17548	Administrative secretary 1
30	17549	Administrative secretary 2
	17550	Upholsterer series
05	17552	Upholsterer 1
06	17553	Upholsterer 2

	17560	Vehicle and equipment operator series
04	17561	Vehicle operator 1
05	17562	Equipment operator 1
06	17563	Vehicle operator 2
06	17564	Equipment operator 2
07	17565	Equipment operator 3
	17570	Welder series
05	17571	Assistant welder
07	17572	Welder 1
08	17573	Welder 2
	17580	Word processing series
25	17582	Word processing operator
26	17583	Word processing specialist
27	17584	Word processing supervisor
27	17585	Medical transcriptionist
	17590	X-ray technology series
23	17591	X-ray developer
25	17592	Radiology service associate
26	17593	X-ray technician 1
27	17594	X-ray technician 2
	18000	Zone maintenance technician series
00 <u>03</u>	18001	Zone maintenance technician 1
00 <u>07</u>	18002	Zone maintenance technician 2
00 <u>11</u>	18003	Zone maintenance technician 3
	20000	Automation technician series
07	20001	Automation technician 1
09	20002	Automation technician 2
10	20003	Automation technician 3
	21000	Dietetic clerk series
03	21001	Dietetic clerk
	22000	Phlebotomist series
24	22001	Assistant phlebotomist
25	22002	Phlebotomist 1
26	22003	Phlebotomist 2
27	22004	Phlebotomist supervisor
	22100	Anesthesia series
26	22101	Anesthesia technician 1
27	22102	Anesthesia technician 2
	22200	Sterile supply series
04	22201	Sterile supply technician 1
06	22202	Sterile supply technician 2
	23000	Unit clerical series
25	23001	Unit clerical associate
25	23003	Unit clerical coordinator
26	23004	Unit clerical supervisor
	23100	Hospital admitting series
25 <u>26</u>	23101	Admitting representative

27	23102	Patient admitting representative
	23200	Medical clerical support series
27	23201	Medical secretary 1
28	23202	Medical secretary 2
	26520	Fire safety series
31	26523	Fire safety inspector supervisor

3335-55-04 Specifications.

- (A) The university shall prepare specifications for each classification in the classified service. Specifications shall include a listing of any parenthetical sub-titles, if any are established for the classifications. A copy of each specification shall be filed with the secretary of state. The qualifications listed in the specifications shall be followed in determining admittance to competitive or non-competitive examinations. Where parenthetical sub-titles have been established, such sub-titles shall be included in the announcement of examinations.
- (B) Each classification title in ~~rule~~ RULES 3335-55-03 AND 3335-55-08 of the Administrative Code shall have a corresponding classification specification ~~which~~ THAT sets forth the function statement and minimum qualifications. The function statement shall set forth the mandatory duties that must be satisfied at least ~~twenty~~ FIFTY per cent of the time, unless otherwise stated in the function statement.
- ~~(C)~~ Each classification title in ~~rule 3335-55-08 of the Administrative Code shall have a corresponding classification specification which sets forth the function statement and minimum qualifications. The function statement shall set forth the mandatory duties that must be satisfied at least fifty per cent of the time, unless otherwise stated in the function statement.~~
- ~~(D)~~(C) For the purpose of classifying positions and making job audit or review decisions only, wherever the word "supervises" appears in a classification specification, unless otherwise defined in the specification, "supervises" means that an employee assigns and reviews work, completes employee performance management procedures, rewards exemplary employee performance, recommends disciplinary action, adjusts grievances, and requires the use of independent judgment in exercising authority.

3335-57-01 Character and fitness of applicant.

- (A) All statements submitted by applicants relating to character and fitness are subject to investigation by the university. Satisfactory information produced to the university, either before or after examination, that the applicant has committed acts which demonstrate character traits which would be detrimental to the successful performance of the employment sought, including but not limited to: the applicant's dismissal for cause from any previous employment, a conviction of a felony, an established pattern of poor work habits and performance with previous employers; is sufficient to exclude the applicant from examination or to remove the applicant from any ~~eligibility~~ ELIGIBLE list. The university will notify the applicant and provide the applicant with an opportunity to respond. This rule does not exclude the university from taking appropriate disciplinary action after appointment.
- (B) ANY EMPLOYEE TERMINATED FOR CAUSE FROM UNIVERSITY EMPLOYMENT IS INELIGIBLE PERMANENTLY FOR RE-EMPLOYMENT WITH THE UNIVERSITY.

3335-57-04 Incomplete application.

Prior to taking the examination, applicants shall submit applications showing that the applicant meets the minimum qualifications stated on ~~an~~ THE examination announcement. An incomplete application may be returned to the applicant for correction. An applicant may correct an incomplete application as long as any necessary corrections are made within ten calendar days of receiving notification of an incomplete application. Failure to provide a completed application within the above time frame results in the applicant not being eligible for THAT examination.

3335-59-01 Examination sites and notices.

- (A) The office of human resources administers examinations for original appointment in the classified service at such places as the university deems advisable.
- ~~(B) When the office of human resources limits examinations for original appointment to a district, county, or city; notice of the examination is mailed for public posting at least two weeks before the last day for filing applications to the clerk of the court of common pleas in the district or county in which the employment is located.~~
- ~~(C)~~(B) Notice of all examinations for original appointments are posted FOR AT LEAST TWO WEEKS in the office of human resources and are available to such other persons or organizations interested in the available positions or able to furnish qualified applicants for examination. In addition, notices may be sent to newspapers of general circulation in the area serviced by the ~~eligibility~~ ELIGIBLE list.
- ~~(D)~~(C) Notice of promotional opportunities and examinations are ~~sent~~ MADE AVAILABLE to the colleges/departments, ~~and made available to employees,~~ AND THE GENERAL PUBLIC.

3335-59-03 Examination grades.

The office of human resources determines a passing grade for each examination ~~which is a matter of record.~~ An applicant passes an examination when the applicant receives a passing grade on all parts of the examination.

3335-59-04 ~~Medical~~ PRE-EMPLOYMENT MEDICAL and psychological examinations.

- (A) Some civil service positions require a medical AND/or psychological examination in relation to essential job functions. For such positions, the university may require a medical AND/or psychological examination and will publish that requirement in the examination announcement or vacancy posting.
- (B) A candidate may be required to pass a medical AND/or psychological examination as a condition for employment. The examination shall occur after the conditional offer of employment but before the commencement of duties, and such offer of employment shall be contingent upon passing the examination.
- (C) When required by the university, an applicant shall furnish medical information from a licensed practitioner who has ~~direct~~ SUFFICIENT medical knowledge as to the applicant's condition as it relates to the essential job requirements of the position. The university reserves the right to designate the examining licensed practitioner. The university shall pay for required examinations.
- (D) ~~Reports prepared from a required examination are treated as a confidential record. Disclosure of any reports prepared by the examining licensed practitioner may be released, in accordance to Chapter 1347 of the Revised Code, to:~~
 - ~~(1) The subject of the examination;~~
 - ~~(2) A licensed practitioner designated by the subject of the examination;~~
 - ~~(3) An individual acting on behalf of the subject of the examination with a valid written release;~~
 - ~~(4) Supervisors and managers, provided that they are only informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;~~
 - ~~(5) First aid and safety personnel if the disability might require emergency medical treatment.~~

MEDICAL AND PSYCHOLOGICAL REPORTS SHALL BE MAINTAINED AS CONFIDENTIAL RECORDS TO THE EXTENT ALLOWABLE PURSUANT TO SECTION 149.43 OF THE REVISED CODE AND CHAPTER 1347, OF THE REVISED CODE.

3335-59-07 Inspection of examination results.

- (A) Within ten days of receiving the examination grade, applicants may review their examination results and may submit any written objection or protest concerning the grade to the office of human resources.
- (B) If the objection or protest relates to the conduct of examiners, the securing of unlawful assistance by a competitor, or such other circumstances in connection with an examination as would call for an investigation on the part of the university, then the information submitted will be kept in confidence to the extent allowable by law.
- (C) Examination grades will not be changed unless due to university clerical error or ~~as a result of IF₁~~ IN the university's JUDGMENT₁ SUCH ACTION IS MERITED FOLLOWING AN investigation of an applicant's complaint.
- (D) Applicants who review their examination results may not repeat an examination for the same classification within a six-month period following the inspection unless an alternate form of examination is given.
- (E) Applicants may not inspect standardized examinations where such inspection would tend to reduce the validity of test results.

3335-63-02 Placement on additional lists.

- (A) Applicants qualifying by examination for a given classification may, at the discretion of the office of human resources, also be placed on additional ~~eligibility~~ ELIGIBLE lists based on the qualifications and standards of the additional classifications.
- (B) Appointment from one ~~eligibility~~ ELIGIBLE list removes the ~~eligible's~~ CERTIFIED ELIGIBLE APPLICANT'S name from all other ~~eligibility~~ ELIGIBLE lists.

3335-63-03 Re-examinations; revocation of lists.

- (A) If, in the judgment of the office of human resources, there are errors or fraud in connection with any examination, the office of human resources may re-examine the applicants and amend the ~~eligibility~~ ELIGIBLE list in accordance with results of such re-examination. If an ~~eligibility~~ ELIGIBLE list is revoked after being posted, all ~~eligibles~~ CERTIFIED ELIGIBLE APPLICANTS on that list are notified.
- (B) An appointment made from an ~~eligibility~~ ELIGIBLE list shall be valid even if fraud or error is discovered after the appointment is made, provided the person appointed was not involved in such fraud or error.

3335-65-01 Requests to fill vacancies; time limit for selection.

- (A) Whenever civil service vacancies are filled other than by promotion, transfer, DEMOTION₁ reinstatement, displacement or reduction IN FORCE, the college/department shall request names of CERTIFIED eligible applicants from the office of human resources.
- (B) The office of human resources shall cancel the position vacancy notice if a college/department fails to select ~~an~~ A CERTIFIED eligible APPLICANT within six months of the posting of the vacancy.

3335-65-02 Number of ~~eligibles~~ CERTIFIED ELIGIBLE APPLICANTS referred.

- (A) Upon a request for applicants to fill a vacancy, the office of human resources shall refer from the appropriate ~~eligibility~~ ELIGIBLE list ten applicants ranking highest on such list. If more than one vacancy exists, the number of applicants referred are:
 - (1) Fifteen names for two to four vacancies;
 - (2) Twenty names for five to eight vacancies;
 - (3) Twenty-five names for nine to twelve vacancies; AND
 - (4) Thirty names for thirteen to sixteen vacancies.
- (B) In hiring from the list of ~~eligibles~~ CERTIFIED ELIGIBLE APPLICANTS, the "rule of ten" shall be followed: one appointment shall occur from the list of ten CERTIFIED eligible applicants.
- (C) If one or more of the applicants named in the original ~~eligibility~~ ELIGIBLE list withdraws from consideration or fails to reply to notice of referral, the office of human resources may include additional names from the ~~eligibility~~ ELIGIBLE list.
- (D) Where fewer than ~~six~~ TEN names exist on an ~~eligibility~~ ELIGIBLE list for any vacancy, the college/department may appoint from that list or defer until a complete ~~eligibility~~ ELIGIBLE list exists. If the vacancy is not filled in this manner, the office of human resources may refer any qualified persons to the college/department for provisional appointment until a full ~~eligibility~~ ELIGIBLE list exists.

3335-65-03 Limitation on referrals.

- (A) The office of human resources may refer ~~the same~~ A CERTIFIED ELIGIBLE applicant up to four times, ~~unless a college/department specifically requests a waiver of this rule~~ FOR A CLASSIFICATION. After four referrals without appointment OR IF THE CERTIFIED ELIGIBLE APPLICANT DECLINES APPOINTMENT, the CERTIFIED ELIGIBLE applicant ~~is~~ SHALL BE removed from the ~~eligibility~~ ELIGIBLE list, UNLESS THE OFFICE OF HUMAN RESOURCES, IN ITS DISCRETION, WAIVES ITS LIMITATION ON REFERRALS FOR THAT CIRCUMSTANCE.
- (B) ~~An applicant may decline a seasonal, intermittent or temporary appointment without affecting the right of that applicant to remain on an eligibility list for appointment to a different appointment category.~~ DECLINING A PART-TIME, SEASONAL, INTERMITTENT OR TEMPORARY APPOINTMENT DOES NOT AFFECT THE RIGHT OF THAT CERTIFIED ELIGIBLE APPLICANT TO REMAIN ON THE ELIGIBLE LIST FOR APPOINTMENT TO A FULL-TIME APPOINTMENT.

3335-65-04 Reply by CERTIFIED eligible ~~candidate~~ APPLICANT.

- (A) The office of human resources shall notify ~~an~~ A CERTIFIED ELIGIBLE applicant when a referral of that CERTIFIED ELIGIBLE applicant is made to a college/department.
- (B) All CERTIFIED ELIGIBLE applicants notified of a referral shall communicate with the office of human resources within three business days from notification.
- (C) The office of human resources shall remove ~~an~~ A CERTIFIED ELIGIBLE applicant from an ~~eligibility~~ ELIGIBLE list for failure to respond in a timely manner to the notice of referral. ~~Applicants~~ CERTIFIED ELIGIBLE APPLICANTS so removed from the ~~eligibility~~ ELIGIBLE list shall not be restored except upon written request presenting satisfactory reasons for failure to respond to the notice of referral.

3335-65-06 Removal from an ~~eligibility~~ ELIGIBLE list.

- (A) When ~~an~~ A CERTIFIED eligible APPLICANT indicates a lack of interest in the position or declines an offer of appointment, the office of human resources shall remove the ~~eligible's~~ CERTIFIED ELIGIBLE APPLICANT'S name from the ~~eligibility~~ ELIGIBLE list, unless:
- (A) ~~The applicant's reported decision is reviewed or investigated by the office of human resources and the eligible's name may be retained or restored to the list following such review or investigation;~~
- (B) ~~Illness~~ ILLNESS, military service, or conflict with schooling is the basis of the decision, THEN the applicant's name shall be restored to the ELIGIBLE list when the applicant indicates availability for consideration;
- (C)(B) Any AN applicant whose name was removed from an ~~eligibility~~ ELIGIBLE list may be restored to the ~~eligibility~~ ELIGIBLE list at the discretion of the office of human resources.

3335-65-08 Temporary employment.

- (A) Temporary employment ~~to~~ IN a classified title is an ~~original~~ appointment ~~which~~ THAT SERVES AT THE DISCRETION OF THE APPOINTING AUTHORITY AND:
- (1) Is for a limited duration;
 - (2) Is for a specific project;
 - (3) Augments regular staff due to increased work loads or staff shortages; or
 - (4) Replaces a regular employee during an absence due to illness, leave of absence, or vacation; ~~and~~
 - (5) ~~Serves at the discretion of the appointing authority.~~
- (B) When temporary services are required, the college/department shall contact the office of human resources, stating the anticipated duration of such temporary employment and other conditions of employment, and may select FROM AN APPROPRIATE ELIGIBLE LIST an applicant ~~from an appropriate eligibility list~~, who, after notice of the conditions of employment, is willing to accept.
- (C) Neither accepting nor declining temporary employment shall affect the ability of ~~an~~ A CERTIFIED eligible APPLICANT to be considered for a regular appointment, nor shall acceptance confer the ability to be promoted, transferred, or reinstated. The period of temporary service shall not be credited as part of the probationary period when a subsequent appointment to a regular position is made in the same classification at the university.
- (D) Temporary appointments shall have a maximum duration of six months except when A LONGER DURATION IS made necessary by reason of sickness or disability of a regular employee. Temporary employees replacing sick or disabled regular employees may continue in that position for the length of sickness or disability.
- (E) Successive temporary appointments to the same position shall not occur.

3335-65-09 Seasonal employment.

- (A) Seasonal employment is a regular appointment where the service is for a specified period of time during a particular time of the year, and recurs in each successive calendar year. Persons appointed to seasonal positions, WHO ARE temporarily separated from the service during the inactive season, shall return to the same position each ensuing year unless the employee is disqualified for any reason or not assigned to work for a period of one year, due to lack of work or refusal of work by the employee.

- (B) Reduction in force, Chapter 3335-81 of the Administrative Code, does not apply when a seasonal employee completes the active work season and begins the inactive season.
- (C) ~~Neither accepting nor declining~~ DECLINING seasonal employment ~~affects~~ DOES NOT AFFECT the ability of ~~an~~ A CERTIFIED eligible APPLICANT to be considered for other regular appointments, ~~nor shall acceptance confer the ability to be promoted, transferred, or reinstated.~~
- (D) ONCE A CERTIFIED ELIGIBLE APPLICANT ACCEPTS A SEASONAL APPOINTMENT:
 - (1) WHILE THE SEASONAL EMPLOYEE IS IN AN ACTIVE PAY STATUS, THE SEASONAL EMPLOYEE MAY APPLY AS AN INTERNAL CANDIDATE FOR POSITIONS WITHIN THE UNIVERSITY, PROVIDED THE EMPLOYEE HAS COMPLETED THE PROBATIONARY PERIOD WITHIN THAT CLASSIFICATION.
 - (2) WHILE THE SEASONAL EMPLOYEE IS INACTIVE, THE SEASONAL EMPLOYEE MAY APPLY AS AN EXTERNAL CANDIDATE FOR POSITIONS WITHIN THE UNIVERSITY.

3335-65-10 Intermittent employment.

- (A) ~~An intermittent employee serves at the discretion of the appointing authority and~~ INTERMITTENT EMPLOYMENT is an appointment where the employee works irregular hours or days on an as-needed basis. A CLASSIFIED INTERMITTENT EMPLOYEE SERVES AT THE DISCRETION OF THE APPOINTING AUTHORITY.
- (B) Neither accepting nor declining intermittent employment affects the ability of ~~an~~ A CERTIFIED eligible APPLICANT to be considered for a regular appointment, nor shall acceptance confer the ability to be promoted, transferred, or reinstated.

3335-65-11 Provisional appointments.

- (A) Upon receipt of a request to fill a vacant position for which no appropriate or complete ~~eligibility~~ ELIGIBLE list is available, the office of human resources may refer applicants who are qualified to fill the position and appoint the selected applicant on a provisional basis.
- (B) ~~A provisional employee who passes the examination for that position shall be considered appointed from an eligibility list. If a provisional appointment does not pass the examination, or does not take an examination for that position when offered, then that employee shall be replaced by an employee from the eligibility list within thirty days. At the discretion of the university, provisional appointees who are displaced by an employee appointed from an eligibility list may re-enter the university classified service as a new employee. A provisional appointment achieves certified status by passing an examination for the classification in which they serve under division (B) of section 124.25 of the Revised Code or by serving for two years in the classification series under section 124.271, of the Revised Code.~~ MAY ACHIEVE CERTIFIED STATUS BY EITHER OF THE FOLLOWING OPTIONS, WHICHEVER HAPPENS FIRST:
 - (1) SUCCESSFULLY SERVING THE PROBATIONARY PERIOD STATED IN RULE 3335-67-02 OF THE ADMINISTRATIVE CODE; OR
 - (2) PASSING THE EXAMINATION FOR THAT CLASSIFICATION.
 - (a) IF A PROVISIONAL EMPLOYEE DOES NOT PASS THE EXAMINATION, OR DOES NOT TAKE THE EXAMINATION FOR THE CLASSIFICATION WHEN IT IS OFFERED, THEN THAT EMPLOYEE SHALL BE REPLACED BY AN EMPLOYEE FROM THE ELIGIBLE LIST.
 - (b) AT THE DISCRETION OF THE UNIVERSITY, A PROVISIONAL EMPLOYEE WHO IS DISPLACED BY AN EMPLOYEE APPOINTED FROM AN ELIGIBLE LIST MAY RE-ENTER THE UNIVERSITY CLASSIFIED SERVICE AS A NEW EMPLOYEE.

- (C) AFTER ACHIEVING CERTIFIED STATUS PURSUANT TO THIS RULE, THE EMPLOYEE IS NOT SUBJECT TO DISPLACEMENT BY A PERSON ON THE ELIGIBLE LIST.

3335-67-01 Nature of the probationary period.

- (A) Employees serve a probationary period following:
- (1) An original CLASSIFIED appointment (either by appointment from an ~~eligibility~~ ELIGIBLE list, or provisionally);
 - (2) A promotion; or
 - (3) A lateral change from one classification to another OUTSIDE OF THE CLASSIFICATION SERIES.
- (B) Employees whose titles are changed through the reclassification process do not serve a new probationary period.
- (C) If an employee's job performance does not meet the expectations of the position following an original appointment, lateral ~~transfer~~ CHANGE OUTSIDE OF THE EMPLOYEE'S CLASSIFICATION SERIES, or promotion, then ~~the following may occur:~~
- ~~(1) Following an original appointment, an employee removed for cause during the first half of the probationary period shall receive a written statement giving the statutory grounds for dismissal under section 124.34 of the Revised Code, and the employee may appeal the removal to the state personnel board of review not more than ten calendar days after receiving the notice of removal.~~
 - ~~(2)~~(1) Following an original appointment, an employee may be ~~removed~~ TERMINATED AT ANY TIME during the ~~second half of the~~ probationary period; ~~OR~~
 - ~~(3)~~(2) Following a PROMOTION OR A lateral change from one classification to another or promotion OUTSIDE OF THE EMPLOYEE'S CLASSIFICATION SERIES, an employee may be returned to the former classification at any time during the ~~second half of the~~ probationary period.
- (D) When an employee is ~~removed~~ TERMINATED or ~~demoted~~ RETURNED TO THE FORMER CLASSIFICATION during the probation period, the university shall send a written notice ~~signed by the appointing authority~~ to the employee. THIS TERMINATION OR RETURN TO THE FORMER CLASSIFICATION IS NOT SUBJECT TO APPEAL.
- (E) Any employee ~~removed~~ TERMINATED from employment during a probationary period, except when ~~removed~~ TERMINATED for cause, may be restored to the ~~eligibility~~ ELIGIBLE list at the discretion of the office of human resources.
- (F) AN EMPLOYEE TERMINATED FROM EMPLOYMENT DURING A PROBATIONARY PERIOD, EXCEPT WHEN TERMINATED FOR CAUSE, IS NOT ELIGIBLE TO REAPPLY FOR THE SAME OR HIGHER CLASSIFICATION FOR A PERIOD OF ONE YEAR FROM THE TERMINATION DATE UNLESS RESTORED TO THE ELIGIBLE LIST AT THE DISCRETION OF THE OFFICE OF HUMAN RESOURCES.
- (G) ANY EMPLOYEE TERMINATED FOR CAUSE FROM UNIVERSITY EMPLOYMENT IS PERMANENTLY INELIGIBLE FOR RE-EMPLOYMENT WITH THE UNIVERSITY.

3335-71-01 Transfer or reassignment REASSIGNMENT of POSITION AND/OR work location.

- (A) The university may temporarily or permanently ~~transfer~~ REASSIGN an employee from ~~one position to another~~ having the same or similar classification within the same jurisdiction of the university ~~in accordance with section 124.33 of the Revised Code.~~
- (B) The university ~~shall provide written notice of a transfer or reassignment to the employee concerned at least fourteen calendar days prior to the effective date of the change, except where an emergency renders it impractical~~ MAY TEMPORARILY OR PERMANENTLY REASSIGN AN EMPLOYEE'S WORK LOCATION WITHIN THE SAME JURISDICTION OF THE UNIVERSITY.
- (C) ~~Prior to an employee being eligible for transfer, an employee shall successfully complete the required probationary period for that classification.~~ THE UNIVERSITY WILL PROVIDE REASONABLE NOTICE OF THE REASSIGNMENT PRIOR TO THE EFFECTIVE DATE OF THE CHANGE, EXCEPT WHERE AN EMERGENCY RENDERS ADVANCE NOTICE IMPRACTICAL.
- (D) ~~The university may temporarily or permanently reassign an employee's work location within the same jurisdiction of the university.~~

3335-71-02 Filling vacancy by promotion.

- (A) Whenever a vacancy occurs in a position having a classification above the lowest grade in a series, the appointing authority determines whether the position shall be filled using a promotional examination, an open-competitive examination, or performance related criteria without testing.
- (B) If the vacancy is filled by promotional examination, the office of human resources determines which classes of ~~certified~~ employees WHO HAVE ACHIEVED CERTIFIED STATUS are eligible to compete. Promotional examinations shall consist of a competitive examination and shall include ratings for seniority. When a promotional examination is held, the ~~eligibility~~ ELIGIBLE list resulting from such examination shall be used to fill the vacancy.
- (C) If the office of human resources determines that a promotional examination is impractical, an open-competitive examination may be used. If an open-competitive examination is held, the procedures defined in Chapters 3335-59 and 3335-63 of the Administrative Code apply.
- (D) Whenever any names are on a promotional ~~eligibility~~ ELIGIBLE list for a given classification, that list shall be used in preference to an open-competitive list covering the same classification. Promotional and open-competitive lists may be combined by placing the names from a promotional list ahead of those from an open-competitive list.
- (E) Once the office of human resources creates a promotional ~~eligibility~~ ELIGIBLE list and submits the names of the three employees having the highest ranking to the college/department; the college/department shall make the promotional appointment within six months, or shall cancel the position vacancy notice.
- (F) If the office of human resources determines that a promotional examination or an open-competitive examination are not necessary or practicable, an eligible employee may be promoted using performance related criteria without testing. In such cases, the employment records should contain appropriate documents showing the employee is entitled to promotion by reasons of effective performance, conduct, and capacity in office, and possesses the requisite qualifications. The office of human resources shall, in each case, determine which persons are eligible for promotion by reason of direct previous work experience ~~which~~ THAT would be preparation for the higher position.

3335-71-03 Preliminary requirements for promotion OR TRANSFER.

- (A) Employees eligible for promotion OR TRANSFER shall have all qualifications prescribed in the specifications for the position sought, unless persons fully meeting the qualifications are not available or an employee possesses other special qualifications ~~which~~ THAT would make that employee a strong candidate for promotional consideration.

(B) PRIOR TO AN EMPLOYEE BEING ELIGIBLE TO APPLY FOR A PROMOTION OR TRANSFER, AN EMPLOYEE SHALL ACHIEVE CERTIFIED STATUS IN THE EMPLOYEE'S CURRENT CLASSIFICATION.

~~(B)~~ (C) A promotion is available only to employees ~~who have completed their probationary period and~~ for whom at least the two most recent performance reviews have met the expectations required of their current position.

3335-71-04 Seniority credit for promotion.

(A) The final score of an employee in a promotional examination shall include adding percentage points to the passing score obtained on the examination for years of public service with THE STATE OF Ohio, or political subdivisions thereof, as follows:

(1) One percentage point for the first four full years of service; AND

(2) Six-tenths of one percentage point for each full year of the next ten years of service.

(B) An employee must achieve a passing grade on the examination prior to the addition of percentage points for service. Points for service shall not exceed ten per cent of the highest score attainable for any examination.

(C) The office of human resources determines the type of service considered for seniority purposes for each promotional examination and shall announce that determination in the examination bulletin.

3335-73-01 Unpaid leaves of absence.

(A) The university may grant a leave of absence without pay to a classified civil service employee. Such leave may be for personal or medical reasons for up to a maximum duration of six months; and may not be ~~renewed or~~ extended.

~~(B) If an illness or injury continues beyond the maximum duration of leave, the university may place the employee on disability separation in accordance with this chapter. A LEAVE DUE TO MEDICAL REASONS MUST COMPLY WITH THE FOLLOWING PROVISIONS:~~

~~(1) MEDICAL REASONS MAY INCLUDE, BUT NOT BE LIMITED TO, THE EMPLOYEE'S OWN INJURY, ILLNESS, OTHER MEDICAL CONDITION, OR WHEN AN EMPLOYEE BECOMES INCAPACITATED TO THE EXTENT THAT THE EMPLOYEE IS UNABLE TO PERFORM THE ESSENTIAL DUTIES OF THE POSITION.~~

~~(2) HE EMPLOYEE MUST STATE A DATE BY WHICH THE EMPLOYEE WILL RETURN TO WORK. IF NO DATE OF RETURN CAN BE STATED BY THE EMPLOYEE OR IF THE NEED FOR LEAVE CONTINUES BEYOND SIX MONTHS, THE UNIVERSITY MAY PLACE THE EMPLOYEE ON DISABILITY SEPARATION PURSUANT TO THIS CHAPTER.~~

~~(3) APPROPRIATE MEDICAL DOCUMENTATION MUST BE SUBMITTED FROM A LICENSED PRACTITIONER WHEN APPLYING FOR THE LEAVE OF ABSENCE.~~

(C) Upon completion of such leave of absence, the employee shall return to the same or similar position of employment. IF THE LEAVE WAS FOR MEDICAL REASONS, APPROPRIATE MEDICAL DOCUMENTATION FROM A LICENSED PRACTITIONER MAY BE REQUIRED TO VERIFY THAT THE EMPLOYEE HAS BEEN RELEASED TO RETURN TO WORK. The employee may return to active pay status prior to the originally scheduled expiration of the leave, if the earlier return is agreed to by both employee and university.

- (D) Failure to return to service within three working days of the completion or valid cancellation of a leave of absence without explanation to the appointing authority is cause for ~~removal from service~~ TERMINATION OF EMPLOYMENT. An employee who fails to return to service from a leave of absence and is subsequently ~~removed~~ TERMINATED or voluntarily resigns from the service is deemed to have a termination date corresponding to the starting date of the leave of absence.
- (E) If it is determined that the leave of absence is not being used for the purpose for which it was granted, the university may cancel the leave and direct the employee to return to work by giving written notice BY REGULAR MAIL to the employee. THE EMPLOYEE MAY BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION FOR ANY MISUSE OF THE LEAVE OF ABSENCE.

TO BE RESCINDED

3335-73-02 Military leave.

- (A) ~~An employee~~
 - (1) ~~Who enlists or is commissioned in the United States armed forces, may request military leave of absence; or~~
 - (2) ~~Who is a member of the Ohio national guard, Ohio military reserve, the Ohio naval militia, or is in the reserves for any branch of the United States armed forces, may request a military short term leave of absence.~~
- (B) ~~Following a military leave of absence, the employee shall return, within thirty days of the request of re-employment, to the same or similar position regardless of the employee's civil service status or the existence of an eligibility list.~~
- (C) ~~Following a military leave of absence, the university shall reinstate the employee and the employee shall receive all salary benefits or other advancements accruing to the position during the military leave of absence.~~
- (D) ~~This rule does not apply to any employee who, by re-enlisting or extending active duty beyond the commission, displays an intent to remain on extended active duty in the armed services of the United States.~~
- (E) ~~Employees reinstated after military leave shall not be terminated without cause from their position within one year of reinstatement.~~

NEW RULE

3335-73-02 MILITARY LEAVE.

- (A) AN EMPLOYEE WHO ENLISTS OR IS COMMISSIONED IN THE UNITED STATES ARMED FORCES OR WHO IS A MEMBER OF THE OHIO NATIONAL GUARD, OHIO MILITARY RESERVE, THE OHIO NAVAL MILITIA, OR IS IN THE RESERVES FOR ANY BRANCH OF THE UNITED STATES ARMED FORCES, MAY REQUEST A MILITARY LEAVE OF ABSENCE. SUCH MILITARY LEAVE OF ABSENCE MAY BE REQUESTED FOR THE PERFORMANCE OF DUTY ON A VOLUNTARY OR INVOLUNTARY BASIS AND INCLUDES ACTIVE DUTY, ACTIVE DUTY FOR TRAINING, INITIAL ACTIVE DUTY FOR TRAINING, INACTIVE DUTY TRAINING, FULL-TIME NATIONAL GUARD DUTY OR AN EXAMINATION TO DETERMINE THE FITNESS TO PERFORM ANY SUCH DUTY. AN EMPLOYEE MAY BE ABSENT FROM UNIVERSITY EMPLOYMENT PURSUANT TO THIS RULE FOR A CUMULATIVE AMOUNT OF TIME NOT TO EXCEED FIVE YEARS UNLESS SPECIAL ORDERS ARE ISSUED BY THE PRESIDENT OF THE UNITED STATES OR THE UNITED STATES DEPARTMENT OF DEFENSE.

- (B) AN EMPLOYEE WHO REQUESTS A MILITARY LEAVE OF ABSENCE MUST PROVIDE REASONABLE ADVANCE WRITTEN NOTICE OF SUCH ACTIVE MILITARY SERVICE TO THE UNIVERSITY. SUCH ADVANCE NOTICE IS NOT REQUIRED WHERE IT IS PRECLUDED BY MILITARY NECESSITY OR THE GIVING OF SUCH NOTICE IS OTHERWISE IMPOSSIBLE OR UNREASONABLE.
- (C) THE UNIVERSITY IS NOT REQUIRED TO REEMPLOY A PERSON AFTER MILITARY LEAVE IF:
- (1) THE UNIVERSITY'S CIRCUMSTANCES HAVE SO CHANGED AS TO MAKE SUCH REEMPLOYMENT IMPOSSIBLE OR UNREASONABLE;
 - (2) SUCH REEMPLOYMENT WOULD IMPOSE AN UNDUE HARDSHIP UPON THE UNIVERSITY; OR
 - (3) THE EMPLOYMENT FROM WHICH THE PERSON LEAVES TO SERVE IN THE UNIFORMED SERVICES IS FOR A BRIEF, NONRECURRENT PERIOD.
- (D) UNLESS OTHERWISE INELIGIBLE, UPON COMPLETION OF MILITARY SERVICE, THE EMPLOYEE WILL APPLY FOR REEMPLOYMENT IN A TIMELY MANNER:
- (1) FOR SERVICE OF LESS THAN THIRTY-ONE DAYS, NOTICE MUST BE GIVEN NO LATER THAN THE BEGINNING OF THE FIRST FULL REGULARLY SCHEDULED WORK PERIOD THAT STARTS AT LEAST EIGHT HOURS AFTER RETURN FROM MILITARY SERVICE.
 - (2) FOR SERVICE OF MORE THAN THIRTY DAYS, BUT LESS THAN ONE HUNDRED EIGHTY-ONE DAYS, NOTICE MUST BE GIVEN NO LATER THAN FOURTEEN DAYS AFTER RETURN FROM MILITARY SERVICE.
 - (3) FOR SERVICE OF MORE THAN ONE HUNDRED EIGHTY DAYS, NOTICE MUST BE GIVEN NO LATER THAN NINETY DAYS AFTER RETURN FROM MILITARY SERVICE.
- (E) FOLLOWING A MILITARY LEAVE OF ABSENCE, AN EMPLOYEE ELIGIBLE FOR REEMPLOYMENT SHALL RETURN, WITHIN THIRTY DAYS OF THE REQUEST OF REEMPLOYMENT, TO THE SAME OR SIMILAR POSITION REGARDLESS OF THE EMPLOYEE'S CIVIL SERVICE STATUS OR THE EXISTENCE OF AN ELIGIBLE LIST.
- (F) AN EMPLOYEE SHALL BE REEMPLOYED WITH ALL RIGHTS AND BENEFITS GENERALLY AVAILABLE TO EMPLOYEES IN A COMPARABLE LEAVE OF ABSENCE WITHOUT PAY, INCLUDING THE FOLLOWING:
- (1) ALL SICK LEAVE, VACATION LEAVE, AND PERSONAL LEAVE THAT HAD BEEN ACCUMULATED AT THE TIME OF ENTERING SERVICE;
 - (2) ALL SENIORITY THAT WOULD HAVE ACCRUED HAD THE EMPLOYEE BEEN ON THE JOB;
 - (3) AUTOMATIC SALARY ADJUSTMENTS ASSOCIATED WITH THE POSITION AND DUE THE EMPLOYEE HAD THE EMPLOYEE BEEN ON THE JOB;
 - (4) ANY CHANGE IN CLASSIFICATION OR PAY RANGE THAT WOULD BE DUE THE EMPLOYEE HAD THE EMPLOYEE BEEN ON THE JOB; AND
 - (5) REINSTITUTED HEALTH INSURANCE AND RELATED INSURANCE BENEFITS WITH NO WAITING PERIODS OR PRE-EXISTING CONDITIONS EXCLUSIONS.

- (G) THIS RULE DOES NOT APPLY TO ANY EMPLOYEE WHO, BY RE-ENLISTING OR EXTENDING ACTIVE DUTY BEYOND THE COMMISSION, DISPLAYS AN INTENT TO REMAIN ON EXTENDED ACTIVE DUTY IN THE ARMED SERVICES OF THE UNITED STATES.
- (H) A REEMPLOYED INDIVIDUAL SHALL NOT BE TERMINATED, EXCEPT FOR CAUSE:
- (1) WITHIN ONE YEAR AFTER THE DATE OF REEMPLOYMENT, IF THE EMPLOYEE HAD BEEN EMPLOYED BY THE UNIVERSITY FOR MORE THAN ONE HUNDRED EIGHTY DAYS PRIOR TO THE DATE OF REEMPLOYMENT; OR
- (2) WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE DATE OF SUCH REEMPLOYMENT, IF THE EMPLOYEE HAD BEEN EMPLOYED BY THE UNIVERSITY FOR MORE THAN THIRTY DAYS BUT LESS THAN ONE HUNDRED EIGHTY-ONE DAYS PRIOR TO THE DATE OF REEMPLOYMENT.
- (I) DISCRIMINATION OR RETALIATION WITH REGARD TO ANY ASPECT OF EMPLOYMENT AGAINST AN INDIVIDUAL FOR VOLUNTARY OR INVOLUNTARY MEMBERSHIP IN UNIFORMED SERVICE IS PROHIBITED.

TO BE RESCINDED

3335-73-04 ~~Leave due to disability; reinstatement.~~

- (A) ~~When an employee becomes incapacitated to the extent that the employee is unable to perform the essential duties of the position and the employee has exhausted all accrued sick leave, the university shall place the employee on a "medical leave."~~
- (B) ~~The university shall grant medical leave only upon the presentation of evidence as to the probable date on which the employee will return to work. Employees are eligible for up to six months of medical leave during a rolling twelve month period. When an employee's incapacitation exceeds the six month medical leave and exhausts any accrued sick leave, the employee shall receive a "disability separation" pursuant to the rules of this chapter. This provision does not preclude the granting of a disability separation if a date for return to work cannot be stated by the employee.~~
- (C) ~~An employee on disability separation shall be reinstated to the same or similar position within thirty days after a written application for reinstatement. Such application for reinstatement shall be filed within three years from the date of separation. A complete reinstatement application must include a certificate from a licensed practitioner designated by the university who has examined and verified that the employee has recovered from the disability. The university shall pay for the examination. If the employee was granted disability retirement, a licensed practitioner designated by the public employee retirement board shall conduct the examination.~~
- (D) ~~If the university determines that the employee's activities during a disability separation are inconsistent with that disability, the employee shall be ineligible for reinstatement.~~

AMENDED RULES

3335-73-05 ~~Involuntary disability separation.~~

- (A) ~~If the university believes that an employee can no longer perform the essential job duties of the position, then the university may request that the employee submit to a medical AND/or psychological examination performed by a licensed practitioner designated by the university, and paid for by the university, prior to an involuntary disability separation unless:~~

- (1) The employee is hospitalized at the time such action is to be taken, or
- (2) The employee has exhausted accumulated sick leave and medical leave of absence.

In lieu of requiring an examination, the university may utilize evidence submitted by the employee's licensed practitioner.

- (B) When the university ~~receives the results of the medical or psychological examination and initially determines that the employee is incapable of performing~~ UNABLE TO PERFORM the essential job duties of the position AND AFTER RECEIVING THE INFORMATION AS NOTED IN PARAGRAPH (A) OF THIS RULE, the university shall hold a pre-separation hearing. The university shall provide notice of the pre-separation hearing at least seventy-two hours prior to the scheduled hearing.
- (C) At the pre-separation hearing, the university shall consider the ~~submitted results of the medical or psychological examination~~ INFORMATION AS NOTED IN PARAGRAPH (A) OF THIS RULE, the essential job duties of the employee's position, and any additional evidence relating to the employee's ability to perform the essential job duties. After considering the evidence, the university shall either issue an involuntary disability separation order or cease the separation proceedings. THE APPOINTING AUTHORITY SHALL NOTIFY THE EMPLOYEE IN WRITING OF THE UNIVERSITY'S DECISION.
- (D) An employee ~~se~~ separated PURSUANT TO THIS RULE may appeal in writing to the state personnel board of review within ten days after receiving the determination of involuntary disability separation.
- (E) AN EMPLOYEE ON DISABILITY SEPARATION SHALL BE REINSTATED TO THE SAME OR SIMILAR POSITION WITHIN THIRTY DAYS AFTER A WRITTEN APPLICATION FOR REINSTATEMENT. SUCH APPLICATION FOR REINSTATEMENT SHALL BE FILED WITHIN THREE YEARS FROM THE DATE OF SEPARATION AND SHALL NOT BE FILED AFTER THE DATE OF SERVICE ELIGIBILITY RETIREMENT. A COMPLETE REINSTATEMENT APPLICATION MUST INCLUDE A CERTIFICATE FROM A LICENSED PRACTITIONER DESIGNATED BY THE UNIVERSITY WHO HAS EXAMINED AND VERIFIED THAT THE EMPLOYEE IS ABLE TO PERFORM THE ESSENTIAL FUNCTIONS OF THE JOB. THE UNIVERSITY SHALL PAY FOR THE EXAMINATION. IF THE EMPLOYEE WAS GRANTED DISABILITY RETIREMENT, A LICENSED PRACTITIONER DESIGNATED BY THE PUBLIC EMPLOYEE RETIREMENT BOARD SHALL CONDUCT THE EXAMINATION.

3335-73-06 Voluntary disability separation.

An employee who is unable to perform the essential job duties of the position due to a disabling illness, injury, or condition may request a voluntary disability separation. A voluntary disability separation occurs when an employee does not dispute the inability to perform the essential job duties of the position.

- (A) The university may grant an employee's request for voluntary disability separation BASED UPON PREVIOUSLY SUBMITTED MEDICAL DOCUMENTATION or may require the employee to submit to a AN ADDITIONAL medical AND/or psychological examination. If the ~~examination~~ MEDICAL DOCUMENTATION supports the employee's request, the university shall grant the employee's request for voluntary disability separation. ~~In lieu of requiring an examination, the university may utilize evidence submitted by the employee's licensed practitioner.~~ If the medical examination does not support the employee's request, the university shall not approve the employee's request for voluntary disability separation.
- (B) An employee who is granted a voluntary disability separation waives the ability to have a pre-separation hearing ~~and to appeal the decision to approve the employee's voluntary disability separation request.~~

- (C) AN EMPLOYEE SEPARATED PURSUANT TO THIS RULE MAY APPEAL IN WRITING TO THE STATE PERSONNEL BOARD OF REVIEW WITHIN TEN DAYS AFTER RECEIVING THE DETERMINATION OF DISABILITY SEPARATION.
- (D) AN EMPLOYEE ON DISABILITY SEPARATION SHALL BE REINSTATED TO THE SAME OR SIMILAR POSITION WITHIN THIRTY DAYS AFTER A WRITTEN APPLICATION FOR REINSTATEMENT. SUCH APPLICATION FOR REINSTATEMENT SHALL BE FILED WITHIN THREE YEARS FROM THE DATE OF SEPARATION. A COMPLETE REINSTATEMENT APPLICATION MUST INCLUDE A CERTIFICATE FROM A LICENSED PRACTITIONER DESIGNATED BY THE UNIVERSITY WHO HAS EXAMINED AND VERIFIED THAT THE EMPLOYEE IS ABLE TO PERFORM THE ESSENTIAL FUNCTIONS OF THE JOB. THE UNIVERSITY SHALL PAY FOR THE EXAMINATION. IF THE EMPLOYEE WAS GRANTED DISABILITY RETIREMENT, A LICENSED PRACTITIONER DESIGNATED BY THE PUBLIC EMPLOYEE RETIREMENT BOARD SHALL CONDUCT THE EXAMINATION.

NEW RULE

3335-73-07 ADMINISTRATIVE LEAVE.

THE UNIVERSITY MAY, IN ITS DISCRETION, PLACE AN EMPLOYEE ON ADMINISTRATIVE LEAVE WITH PAY. SUCH LEAVE IS TO BE USED IN CIRCUMSTANCES WHERE THE HEALTH OR SAFETY OF ANY EMPLOYEE OR OF ANY PERSON OR PROPERTY ENTRUSTED TO THE EMPLOYEE'S CARE COULD BE ADVERSELY AFFECTED. COMPENSATION FOR ADMINISTRATIVE LEAVE SHALL BE EQUAL TO THE EMPLOYEE'S BASE RATE OF PAY. THE LENGTH OF SUCH LEAVE IS SOLELY AT THE DISCRETION OF THE UNIVERSITY.

AMENDED RULES

3335-75-01 Performance management and review.

Performance management is an ongoing process where the supervisor and employee discuss the performance expectations of the position and how the employee is fulfilling those expectations. Classified civil service employees ~~shall~~ SHOULD have their performance reviewed once during the probationary period and annually thereafter. This performance review is a tool of performance management for the purposes of evaluating appropriate job duties, training, and corrective measures.

3335-75-02 ~~General procedure for removals~~ TERMINATIONS, suspensions, or demotions.

- (A) The ~~removal~~ TERMINATION, suspension, or demotion of a classified civil service employee, except as otherwise provided in these rules, shall be made for, but not limited to the following reasons: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, a violation of university rules or policy, failure to return from a leave of absence, other failure of good behavior, misfeasance in office, malfeasance in office, nonfeasance in office, other unsatisfactory job performance, CONVICTION OF A FELONY, or by voluntary written agreement by an employee.
- (B) The university may impose working suspensions with pay as part of a corrective action plan. For the purpose of progressive action, working suspensions are equivalent to suspensions which require the interruption of an employee's service and compensation for a fixed period of time.
- (C) THE UNIVERSITY MAY IMPOSE A FINE OF NOT MORE THAN FIVE DAYS PAY AS PART OF A CORRECTIVE ACTION PLAN.
- ~~(C)~~(D) The employee shall be notified in writing by the university appointing authority of the reasons for the action and the effective date of the action. This notification shall advise the employee of the right to appeal, IF APPLICABLE. Any such appeal shall be made in accordance with the rules of the state personnel board of review.

(E) THE FOLLOWING CONDITIONS APPLY TO ANY EMPLOYEE WHO IS CONVICTED OF A FELONY:

- (1) CONVICTION OF A FELONY IS A SEPARATE BASIS FOR REDUCING IN PAY OR POSITION, SUSPENDING, OR TERMINATING AN EMPLOYEE, EVEN IF THE EMPLOYEE HAS ALREADY BEEN REDUCED IN PAY OR POSITION, SUSPENDED, OR TERMINATED FOR THE SAME CONDUCT THAT IS THE BASIS OF THE FELONY. AN EMPLOYEE MAY NOT APPEAL TO THE STATE PERSONNEL BOARD OF REVIEW ANY DISCIPLINARY ACTION TAKEN BY AN APPOINTING AUTHORITY AS A RESULT OF THE EMPLOYEE'S CONVICTION OF A FELONY.
- (2) A PERSON CONVICTED OF A FELONY IMMEDIATELY FORFEITS THE PERSON'S STATUS AS A CLASSIFIED EMPLOYEE AT THE UNIVERSITY ON AND AFTER THE DATE OF CONVICTION FOR THE FELONY. THE UNIVERSITY, UPON THE PERSON'S REQUEST, MAY INVESTIGATE THE CIRCUMSTANCES OF THE FELONY AND MAY, AT ITS DISCRETION, ALLOW THE PERSON TO APPLY OR RE-APPLY FOR UNIVERSITY EMPLOYMENT.
- (3) ANY PERSON TERMINATED FOR A CONVICTION OF A FELONY IS ENTITLED TO A CASH PAYMENT FOR ANY ACCRUED BUT UNUSED VACATION LEAVE.

3335-79-01 Crediting of sick leave.

Sick leave credit accrues at the rate of 4.6 hours for each eighty hours of service in an active pay status, including paid vacation, overtime, and sick leave, but not during a leave of absence, or layoff. Part-time, seasonal, AND temporary, ~~and intermittent workers~~ EMPLOYEES accrue sick leave at the same rate.

3335-79-04 Charging of sick leave.

Sick leave shall be charged in minimum units of one-tenth hour. An employee shall be charged for sick leave only for days upon which the employee ~~would~~ otherwise WOULD have been scheduled to work. Sick leave payment shall not exceed the normal scheduled work day or work week earnings.

3335-79-05 Uses of sick leave.

- (A) Sick leave shall be granted to an employee upon approval of the appropriate administrative official and for the following reasons:
- (1) Illness or injury of the employee or a member of the employee's immediate family;
 - (2) Death of a member of the immediate family (sick leave usage limited to five working days);
 - (3) Medical, dental, or optical examination or treatment of employee or a member of the employee's immediate family;
 - (4) If a member of the immediate family is afflicted with a contagious disease or requires the care and attendance of the employee; or when through exposure to a contagious disease, the presence of the employee at the job would jeopardize the health of others; OR
 - (5) Disability due to pregnancy and/or childbirth and other conditions related thereto.
- (B) Definition of "immediate family" for the purpose of this chapter: ~~grandparents, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father, father-in-law, mother, mother-in-law, spouse, domestic partner, child, grandchild, a legal guardian or other person who stands in place of a parent (in loco parentis)~~ SPOUSE, DOMESTIC PARTNER, MOTHER, FATHER,

SISTER, BROTHER, DAUGHTER, SON, GRANDPARENT, GRANDCHILD, MOTHER-IN-LAW, FATHER-IN-LAW, SISTER-IN-LAW, BROTHER-IN-LAW, DAUGHTER-IN-LAW, SON-IN-LAW, GRANDPARENT-IN-LAW, GRANDCHILD-IN-LAW, OR CORRESPONDING RELATIVES OF THE EMPLOYEE'S PARTNER, OTHER PERSONS FOR WHOM THE EMPLOYEE IS LEGALLY RESPONSIBLE, AND ANYONE WHO STOOD IN LOCO PARENTIS TO THE EMPLOYEE AS A CHILD.

- (C) An employee who becomes eligible for workers' compensation payment for loss of time may choose to use sick leave before such payments are made. An employee who wishes not to use sick leave to cover such loss of time must request a AN UNPAID leave of absence in accordance with rule 3335-73-01 of the Administrative Code.

3335-79-07 Notification by employee.

- (A) When an employee is unable to report to work, the employee shall notify the immediate supervisor or other designated person within the time frame established by the college/department, unless emergency conditions make such notification impossible. The requirement for subsequent notification will be governed by the nature of the circumstances and the requirements established by the college/department.

3335-79-08 ~~Medical~~ EMPLOYEE MEDICAL or psychological examination.

- (A) The university may require an employee to take a medical AND/or psychological examination, conducted by a licensed practitioner selected by the university, to determine the physical AND/or mental capability to perform the essential duties of the employee's position. The university may supply the examining practitioner with facts relating to the ~~perceived disabling illness, injury, or condition,~~ EMPLOYEE'S DIFFICULTY OR INABILITY TO PERFORM THE ESSENTIAL FUNCTIONS OF THE JOB and may supply additional information including BUT NOT LIMITED TO physical and mental requirements of the employee's position, duty statements, job classification specifications, and position descriptions. The university shall pay for the examination.
- (B) An employee's refusal to submit to the AN examination, the unexcused failure to appear for an examination, or the refusal to release the results of an examination amounts to insubordination, ~~punishable by the imposition of~~ AND MAY SUBJECT THE EMPLOYEE TO discipline up to and including ~~removal~~ TERMINATION.
- (C) If found unable to perform the essential duties of the position, the employee may be placed on sick leave, or medical leave OR DISABILITY SEPARATION. ~~The utilization of sick leave or medical leave is at the employee's option.~~
- (D) ~~Reports prepared from a required examination are treated as a confidential record. Disclosure of any reports prepared by the examining licensed practitioner may be released, in accordance with Chapter 1347 of the Revised Code, to:~~
- ~~(1) The subject of the examination;~~
 - ~~(2) The licensed practitioner designated by the subject of the examination;~~
 - ~~(3) An individual acting on behalf of the subject of the examination with a valid written release;~~
 - ~~(4) Supervisors and managers, provided that they are only informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;~~
 - ~~(5) First aid and safety personnel if the disability might require emergency medical treatment.~~

MEDICAL AND PSYCHOLOGICAL REPORTS SHALL BE MAINTAINED AS CONFIDENTIAL RECORDS TO THE EXTENT ALLOWABLE PURSUANT TO SECTION 149.43 OF THE REVISED CODE AND CHAPTER 1347, OF THE REVISED CODE.

3335-81-02 ~~Lack of Funds~~ REASONS OF ECONOMY or lack of work.

- (A) The university shall determine:
- (1) Whether a current or projected deficiency in necessary funds ~~exist~~ EXISTS to maintain current or to sustain projected levels of staffing and operations; or
 - (2) Whether a lack of work exists or is projected ~~which~~ THAT results in excessive current or projected staffing levels.

In the event that the university determines such a lack of funds or lack of work exists, the office of human resources shall be notified of such shortages, of the college/department in which such shortage exists or is projected, and of the amount of current or projected funds or work lacking.

- (B) Upon the approval of the office of human resources, employees may be laid off for ~~lack of funds~~ REASONS OF ECONOMY or lack of work. Before such layoffs, a statement of rationale and supporting documentation shall be prepared and on file in the office of human resources.

3335-81-03 Abolishment of positions.

- (A) The university shall prepare and retain a statement of rationale with supporting documentation ~~which~~ THAT explains the lack of continued need for a position.
- (B) Employees may be laid off as a result of the abolishment of a position or positions, provided that the office of human resources shall, in such layoff, follow the procedures applicable to the layoff of employees as set forth in this chapter.

3335-81-04 Order of layoff.

- (A) The order of any layoff shall be determined first by primary appointment category, then by certification status and finally by retention point totals.
- (B) All employees within a lower appointment category shall be laid off before any employee in the next or succeeding higher appointment category. For purpose of the application of this rule, the primary appointment categories, in the order of their priority from lowest to highest, shall be:
- (1) ~~Temporary employees;~~
 - (2) ~~Intermittent employees;~~
 - (3) ~~Part-time regular employees;~~
 - ~~(4)-(1)~~ Seasonal employees;
 - (2) PART-TIME REGULAR EMPLOYEES;
 - ~~(5)(3)~~ Full-time regular employees.
- (C) Within each of the foregoing primary appointment categories, the order of layoff shall be accomplished in the following order:
- (1) Employees serving provisionally who have not ~~completed their probationary period after appointment~~ ACHIEVED CERTIFIED STATUS;

- (2) ~~Employees serving provisionally who have satisfactorily completed their probationary period after appointment;~~
 - (3)(2) ~~Employees appointed from certified eligibility ELIGIBLE lists or who are certified and who have not completed their probationary period after appointment~~ ACHIEVED CERTIFIED STATUS;
 - (4)(3) ~~Employees appointed from certified eligibility lists or who are certified and who have successfully completed their probationary period after appointment~~ WHO HAVE ACHIEVED CERTIFIED STATUS.
- (D) Within each primary appointment category and within each category with respect to the status of certification, employees shall be laid off in the inverse order of their retention points as determined by the application of rule 3335-81-06 of the Administrative Code.

3335-81-05 Displacement procedures.

- (A) A ~~AN~~ EMPLOYEE WHO WAS laid-off or WHOSE POSITION WAS abolished ~~employee~~ shall fill a vacancy or displace the employee with the fewest retention points in the order of the following classifications, provided in all instances that the employee meets the qualifications of that position:
- (1) Within the employee's classification;
 - (2) Within the next lower classification and each successively lower classification in the employee's classification series;
 - (3) Within a classification ~~which~~ THAT has the same or similar duties as the classification from which the employee was laid off;
 - (4) Within the classification the employee held immediately prior to holding the classification from which the employee was laid off, provided:
 - (a) That the previous classification is of a lower or equivalent classification;
 - (b) The employee ~~was~~ HAD ACHIEVED certified STATUS in the former classification;
 - (c) The employee held the classification not more than five years prior to the date on which the employee was laid off; AND
 - (d) That in the event the employee's former position no longer exists in the classification held by the employee immediately prior to the present classification, or in the event that the laid off employee is prevented from displacing into the previously held classification because of a failure to meet the minimum qualifications of the previously held classification, then such employee may displace the employee with the fewest retention points in the next previously held classification, and in successive previously held classifications, provided that the requirements set forth in paragraphs (A)(4)(a) to (A)(4)(d) of this rule are met.
 - (5) If, after PARAGRAPHS (A)(1) ~~through~~ TO (A)(4) OF THIS RULE have occurred and no vacancies are available or the employee is unable to displace due to having the fewest retention points in the classification or lack of qualifications, then the employee will be laid off.
- (B) If, after exercising displacement, an employee is subject to further layoff action, displacement shall be in accordance with the original classification from which the employee was laid off.

- (C) Employees who elect to use displacement shall displace only those employees with fewer retention points and who are in the same or lower priority of layoff as set forth by rule 3335-81-04 of the Administrative Code.
- (D) Employees shall notify the office of human resources of their intention to exercise displacement within five days after receipt of notice of layoff.
- (E) Any order of displacement as set forth by this rule notwithstanding, no employee shall displace another employee whose position or classification requires special minimum qualifications, as established by a position description, PARENTHETICAL SUB-TITLE, classification specifications, or by bona fide occupation qualifications, unless the employee desiring to displace another employee possesses the requisite minimum qualifications for the position.
- (F) If, as a result of layoff or displacement, an employee is serving in a new classification, such employee shall be paid according to the pay range assigned to the new classification ~~which~~ THAT most nearly corresponds to the compensation received by that employee as of the date of layoff or displacement.

3335-81-06 Retention points.

- (A) The university shall compute retention points for each employee in a classification ~~which~~ THAT is the subject of a layoff or displacement.
- (B) Each employee shall be assigned retention points for length of continuous service by awarding one retention point for each five hundred twenty hours (excluding overtime hours) of continuous service.
- (C) In the event two or more employees have identical retention points as computed by this rule, the employee having the shortest period of continuous service shall be laid off or displaced first. If two or more employees have identical retention points and identical dates of continuous service from which no break in service has occurred, the date on which application for employment was submitted will determine the priority of layoff, priority being awarded to the earliest date. In the event a tie is still unresolved, the office of human resources shall determine the order of layoff by using a reasonable basis for such determination.
- (D) "Continuous service" is that service unbroken by a resignation or termination from the university or other state of Ohio civil service employment. Continuous service for the purposes of retention points includes:
 - (1) When an employee is reinstated after a resignation or termination to the same position within twelve months ~~of resignation~~, full credit for continuous service will be given for the periods of actual employment;
 - (2) A transfer from one state department or agency to another or to or from the university does not constitute a break in continuous service for purposes of computing continuous service retention points;
 - (3) An authorized leave of absence does not constitute a break in service, and continuous service retention points shall continue to accumulate during the term of a leave of absence provided the employee returns to state or university service following the leave;
 - (4) When a laid off employee is reinstated or re-employed within one year from the date of layoff, the employee shall accrue continuous service retention points during the time spent on layoff and continuous service shall remain unbroken; AND
 - (5) ~~An authorized~~ A disability separation does not constitute a break in service. However, continuous service retention points shall not accumulate during the period of separation.

- (E) Service as a student-employee shall not be credited as service for purposes of determining continuous service retention points.

3335-81-09 Recall lists; reinstatement.

- (A) The office of human resources shall prepare a recall list for each classification in which employees are laid off. The names of all laid-off or displaced certified STATUS employees shall appear on such lists in descending order of retention points, and the names of all provisional laid off or displaced employees shall appear on a second list in descending order of retention points. Except as provided in paragraph (C) of this rule, laid off employees shall be placed on recall lists for each classification within the employee's classification series ~~which~~ THAT is equal to or lower than the classification in which the employee was employed at the time of layoff.
- (B) An employee's name shall remain on the appropriate recall list or lists for a period of one year beginning from the date the employee was first laid off or displaced from the original classification. During this period, colleges/departments may not hire, promote or transfer into any classification for which a recall list exists until all persons on the recall list applicable to that classification are reinstated or decline the offered position.
- (C) An employee who does not exercise the option to displace, as provided by rule 3335-81-05 of the Administrative Code, shall be listed on the recall list for the classification from which the employee was laid off or displaced but shall not be listed for reinstatement in other classifications in the employee's classification series ~~which~~ THAT are equal to or lower than the classification from which the employee was laid off or displaced.
- (D) Each employee recalled from layoff shall be notified by certified mail of the offer of reinstatement. The notification of reinstatement shall include a statement that refusal of reinstatement shall result in removal of the employee's name from the recall list. Each recalled employee shall have ten calendar days from the date of the notification in which to respond to the notice or return to work. In the absence of extenuating circumstances (e.g., illness, injury, absence from city or state or other good cause as determined by the office of human resources) ~~which prevent~~ THAT PREVENTED the ~~staff member~~ EMPLOYEE from responding or returning to work within the foregoing time limit, the university may grant a reasonable extension, not to exceed sixty days. In the absence of extenuating circumstances, an individual not accepting or declining reinstatement within ten days shall be deemed to have declined reinstatement for purposes of removal from the recall list.
- (E) Notification of recall may be delivered to an employee by other than certified mail if circumstances created by temporary layoffs and/or emergency situations dictate otherwise. Regardless of the method of delivery of the recall notification, the period in which to return to work shall begin with the date of receipt of such notification.
- (F) An employee who declines reinstatement to a classification lower in the classification series than the classification from which the employee was laid off or displaced shall be removed from the recall list applicable to the offered classification and any recall lists for classifications lower in the classification series. The employee shall thereafter ~~only~~ be eligible ONLY for reinstatement to a classification higher than the declined reinstatement classification, up to and including the classification from which the employee was laid off or displaced.
- (G) Employees who have completed their ~~original or promotional~~ probationary periods at the time of layoff are not required to serve probationary periods when they are reinstated. Employees who are serving ~~original or promotional~~ probationary periods at the time of layoff must serve a new probationary period upon reinstatement.
- (H) The names of employees not removed from recall lists pursuant to paragraphs (A) to (E) of this rule shall be removed from the recall lists one calendar year after the initial date of layoff.

3335-83-07 Holiday compensation.

- (A) Full-time CLASSIFIED civil service employees shall be paid for holidays observed by the university and shall not be required to work on those holidays, unless failure to work on such holidays would impair department service.
- (B) If an employee's work schedule is other than Monday through Friday, the employee shall receive holiday pay for holidays observed on the EMPLOYEE'S day off regardless of the day of the week on which the holidays are observed. ~~Full-time employees~~ A FULL-TIME EMPLOYEE shall receive eight hours of pay for each holiday regardless of the employee's work shift and work schedule. ~~Part-time, temporary, seasonal and flexible hours employees~~ shall be paid holiday pay for that portion of any holiday for which they would normally have been scheduled to work.

3335-83-08 Holiday premium pay.

A non-exempt CLASSIFIED CIVIL SERVICE employee who is in active pay status for more than forty hours per week and who is required to work on a day observed as a holiday by the university shall be entitled to pay for such time worked:

- (A) At the employee's base pay in addition to one and one-half times the base rate of pay; or
- (B) At the employee's base pay in addition to compensatory time off at time and one-half.

TO BE RESCINDED

3335-89-01 Definition of terms.

~~For the purposes of Chapters 3335-49 to 3335-89 of the administrative code, the following terms are defined as follows:~~

- (A) ~~"Abolishment" - the elimination of a position due to lack of work or a reorganization for efficiency or economy.~~
- (B) ~~"Appointment" - the administrative process of placing a university employee on the payroll.~~
- (C) ~~"Base rate of pay" - the actual salary or wage an employee receives for services rendered within the pay range of the classification.~~
- (D) ~~"Broadbanding" - the university's new classification and compensation system characterized by broader classifications, pay ranges, and simplified compensation administration.~~
- (E) ~~"Certification" - a classified civil service status obtained for a specific classification by appointment from an eligibility list or, in the case of a provisional employee, by passing an examination for the classification in which they serve or by serving for two years in the classification series.~~
- (F) ~~"Classification" - a group of positions sufficiently related with respect to duties, responsibilities, authority and qualifications so that the same descriptive classification title and same pay range may be used for each.~~
- (G) ~~"Classification plan" - a system of classifications or series of jobs, with a specification and pay range assignment for each classification.~~
- (H) ~~"Demotion" - placement of an employee in a classification that has a lower pay range than that previously held.~~
- (I) ~~"Discharge" - termination of employment by involuntary disability separation.~~

- (J) ~~"Displace" or "displacement" -- the exercise of the procedures outlined in Chapter 3335-81 of the Administrative Code which results in the substitution of one employee by another employee with higher retention points.~~
- (K) ~~"Eligible" -- an applicant for appointment to a classification who has passed an examination and met other requirements for the position.~~
- (L) ~~"Eligibility list" -- the names of eligibles, arranged in descending order by examination grade.~~
- (M) ~~"Emergency appointment" -- an appointment to a position to meet an emergency situation, not subject to civil service law, and limited to a maximum of thirty days.~~
- (N) ~~"Full-time employment" -- employment where the work schedule is normally forty hours per week.~~
- (O) ~~"Intermittent employment" -- an appointment which serves at the discretion of the appointing authority and where the employee works irregular hours or days on an as-needed basis.~~
- (P) ~~"Jurisdiction" -- the limited location in which procedures for layoff, displacement, recall, reinstatement and re-employment may be exercised; the main campus, each regional campus, and the Ohio agricultural research and development center are each separate and distinct jurisdictions.~~
- (Q) ~~"Leave of absence" -- temporary separation from active pay status with the employee generally retaining employment status and seniority.~~
- (R) ~~"Licensed practitioner" -- a physician, psychiatrist, or psychologist who is licensed to perform medical or psychological examinations.~~
- (S) ~~"Open-competitive examination" -- an examination open to anyone, whether already employed in the university civil service or not, who meets qualifications established for a given classification or position.~~
- (T) ~~"Parenthetical sub-title" -- a group of positions logically falling within a general classification but distinguished from other positions within that classification by the performance of specific functions or duties requiring specialized skill, knowledge or training.~~
- (U) ~~"Part-time employment" -- employment where the work schedule is normally less than forty hours per week.~~
- (V) ~~"Pay range" -- a division of a salary schedule to which classifications are assigned.~~
- (W) ~~"Position" -- a specific job requiring the performance of certain duties and responsibilities by an employee.~~
- (X) ~~"Probationary period" -- a period of time at the beginning of an original appointment, a promotion, or a lateral change from one classification to another which constitutes a trial or testing period for the employee, during which the employee may be terminated or returned to the former classification.~~
- (Y) ~~"Promotion" -- placement of an employee in a vacant position in a classification that has a higher pay range than that previously held.~~
- (Z) ~~"Promotional examination" -- an examination open only to persons already employed in the university service for the purpose of determining eligibility for promotion.~~
- (aa) ~~"Provisional appointment" -- an appointment made in the absence of an appropriate or complete eligibility list.~~

- (bb) ~~"Reclassification" -- the act of changing the classification of an existing occupied position.~~
- (cc) ~~"Reduction" -- an action which diminishes an employee's compensation or removes responsibilities and duties thereby placing an employee in a lower position.~~
- (dd) ~~"Reduction in force" -- a decrease in the number of positions at the university's initiative due to a lack of funds, lack of work, reasons of economy, or reorganization for efficiency.~~
- (ee) ~~"Regular employment" -- employment which customarily requires the services of an employee on a regularly scheduled and continuing basis.~~
- (ff) ~~"Reinstatement" -- the act of returning a former employee to the same or similar position within the university classified civil service, following a period of not more than one year of separation.~~
- (gg) ~~"Removal" -- termination of employment for reasons of discipline.~~
- (hh) ~~"Seasonal employment" -- regular employment where the service reoccurs for a specified period of time during a particular time of the year.~~
- (ii) ~~"Specification" -- a composite of the duties and requirements of a classification.~~
- (jj) ~~"Suspension" -- the interruption of an individual's employment and compensation for a fixed period of time for reasons of discipline.~~
- (kk) ~~"Temporary employment" -- an appointment to a classified title which:~~
 - (1) ~~Is for a limited duration;~~
 - (2) ~~Is for a specific project;~~
 - (3) ~~Augments regular staff due to increased work loads or staff shortages; or~~
 - (4) ~~Replaces a regular employee during an absence due to illness, leave of absence or vacation; and~~
 - (5) ~~Serves at the discretion of the appointing authority.~~
- (ll) ~~"Working suspension" -- a written suspension where the individual's employment and compensation are not interrupted but for the purposes of progressive corrective action is equal in weight to a regular suspension.~~

NEW RULE

3335-89-01 DEFINITION OF TERMS.

FOR THE PURPOSES OF CHAPTERS 3335-49 TO 3335-89 OF THE ADMINISTRATIVE CODE, THE FOLLOWING TERMS ARE DEFINED AS FOLLOWS:

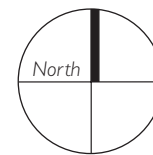
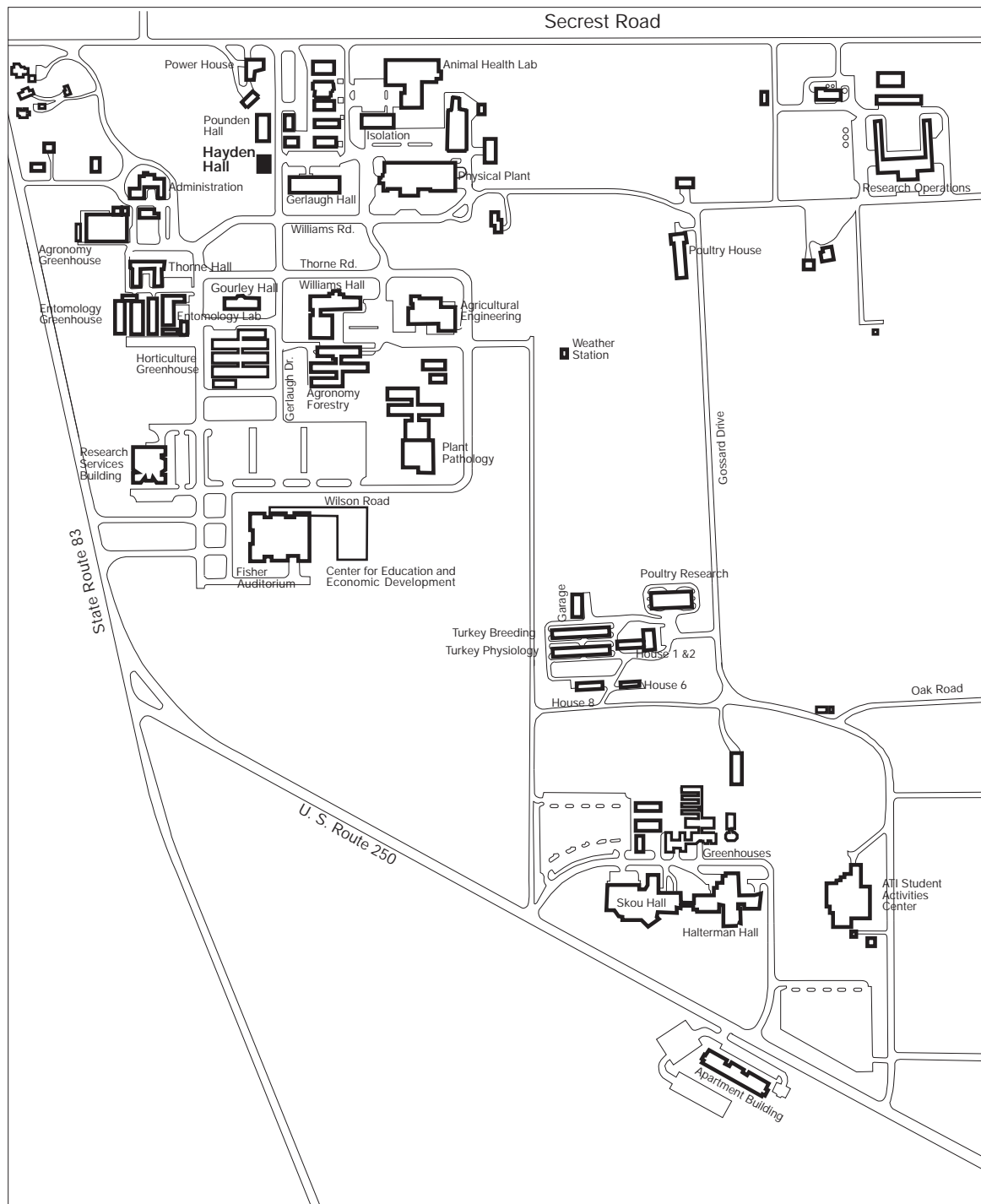
- (A) "ABOLISHMENT" -- THE ELIMINATION OF A POSITION DUE TO LACK OF WORK, REASONS OF ECONOMY, OR A REORGANIZATION FOR EFFICIENCY.
- (B) "APPOINTING AUTHORITY" -- THE BOARD OF TRUSTEES FOR THE UNIVERSITY HAS DELEGATED ITS AUTHORITY REGARDING CIVIL SERVICE EMPLOYMENT MATTERS TO THE ASSOCIATE VICE PRESIDENT FOR HUMAN RESOURCES.
- (C) "APPOINTMENT" -- THE ADMINISTRATIVE PROCESS OF PLACING A UNIVERSITY EMPLOYEE ON THE PAYROLL.
- (D) "BASE RATE OF PAY" -- THE ACTUAL SALARY OR WAGE AN EMPLOYEE RECEIVES FOR SERVICES RENDERED WITHIN THE PAY RANGE OF THE CLASSIFICATION.
- (E) "BROADBANDING" -- ONE OF THE UNIVERSITY'S CLASSIFICATION AND COMPENSATION SYSTEMS CHARACTERIZED BY BROADER CLASSIFICATIONS, PAY RANGES, SIMPLIFIED CLASSIFICATION ADMINISTRATION, AND MARKET BASED COMPENSATION ADMINISTRATION.

- (F) "CERTIFIED STATUS" -- A CLASSIFIED CIVIL SERVICE STATUS OBTAINED FOR A SPECIFIC CLASSIFICATION BY APPOINTMENT FROM AN ELIGIBLE LIST AND SATISFACTION OF THE APPLICABLE PROBATIONARY PERIOD OR, IN THE CASE OF A PROVISIONAL EMPLOYEE, THE PASSING OF THE EXAMINATION FOR THAT CLASSIFICATION OR SATISFACTORY COMPLETION OF THE PROBATIONARY PERIOD FOR THAT CLASSIFICATION.
- (G) "CLASSIFICATION" -- COMMON NAME FOR A GROUP OF POSITIONS SUFFICIENTLY RELATED WITH RESPECT TO DUTIES, RESPONSIBILITIES, AUTHORITY AND QUALIFICATIONS SO THAT THE SAME DESCRIPTIVE CLASSIFICATION TITLE AND SAME PAY RANGE MAY BE USED FOR EACH.
- (H) "CLASSIFICATION PLAN" -- A SYSTEM OF CLASSIFICATIONS OR SERIES OF JOBS, WITH A SPECIFICATION AND PAY RANGE ASSIGNMENT FOR EACH CLASSIFICATION.
- (I) "DAY" -- UNLESS OTHERWISE SPECIFIED, "DAY" MEANS ONE CALENDAR DAY.
- (J) "DEMOTION" -- PLACEMENT OF AN EMPLOYEE IN A CLASSIFICATION THAT HAS A LOWER PAY RANGE THAN THAT PREVIOUSLY HELD.
- (K) "DISPLACE" OR "DISPLACEMENT" -- THE EXERCISE OF THE PROCEDURES OUTLINED IN CHAPTER 3335-81 OF THE ADMINISTRATIVE CODE THAT RESULTS IN THE SUBSTITUTION OF ONE EMPLOYEE BY ANOTHER EMPLOYEE WITH HIGHER RETENTION POINTS.
- (L) "CERTIFIED ELIGIBLE APPLICANT" -- AN APPLICANT FOR APPOINTMENT TO A CLASSIFICATION WHO HAS MET THE DOCUMENTED REQUIREMENTS FOR THE POSITION AND WHO HAS PASSED THE APPROPRIATE CIVIL SERVICE EXAMINATION.
- (M) "ELIGIBLE LIST" -- THE NAMES OF CERTIFIED ELIGIBLE APPLICANTS, ARRANGED IN DESCENDING ORDER BY EXAMINATION GRADE AND, IN THE CASE OF THE SAME EXAMINATION GRADE, BY DATE OF APPLICATION.
- (N) "EMERGENCY APPOINTMENT" -- AN APPOINTMENT TO A POSITION TO MEET AN EMERGENCY SITUATION, NOT SUBJECT TO CIVIL SERVICE LAW, AND LIMITED TO A MAXIMUM OF THIRTY DAYS.
- (O) "FOR CAUSE" -- A TYPE OF TERMINATION FROM EMPLOYMENT FOR ONE OR MORE OF THE FOLLOWING REASONS: INCOMPETENCY, INEFFICIENCY, DISHONESTY, DRUNKENNESS, IMMORAL CONDUCT, INSUBORDINATION, DISCOURTEOUS TREATMENT OF THE PUBLIC, NEGLIGENCE OF DUTY, VIOLATION OF THIS CHAPTER OR THE RULES OF THE DIRECTOR OF ADMINISTRATIVE SERVICES OR THE COMMISSION, ANY OTHER FAILURE OF GOOD BEHAVIOR, ANY OTHER ACTS OF MISFEASANCE, MALFEASANCE, OR NONFEASANCE IN OFFICE, OR CONVICTION OF A FELONY.
- (P) "FULL-TIME EMPLOYMENT" -- EMPLOYMENT WHERE THE WORK SCHEDULE IS NORMALLY FORTY HOURS PER WEEK.
- (Q) "INTERMITTENT EMPLOYMENT" -- AN APPOINTMENT WHICH SERVES AT THE DISCRETION OF THE APPOINTING AUTHORITY AND WHERE THE EMPLOYEE WORKS IRREGULAR HOURS OR DAYS ON AN AS-NEEDED BASIS.
- (R) "JURISDICTION" -- THE LIMITED LOCATION IN WHICH PROCEDURES FOR LAYOFF, DISPLACEMENT, RECALL, REINSTATEMENT AND RE-EMPLOYMENT MAY BE EXERCISED; THE MAIN CAMPUS, EACH REGIONAL CAMPUS, AND THE OHIO AGRICULTURAL RESEARCH AND DEVELOPMENT CENTER ARE EACH SEPARATE AND DISTINCT JURISDICTIONS.

- (S) "LEAVE OF ABSENCE" -- TEMPORARY SEPARATION FROM ACTIVE PAY STATUS WITH THE EMPLOYEE GENERALLY RETAINING EMPLOYMENT STATUS AND SENIORITY.
- (T) "LICENSED PRACTITIONER" -- A PHYSICIAN, PSYCHIATRIST, OR PSYCHOLOGIST WHO IS LICENSED TO PERFORM MEDICAL OR PSYCHOLOGICAL EXAMINATIONS.
- (U) "OPEN-COMPETITIVE EXAMINATION" -- AN EXAMINATION OPEN TO ANYONE, WHETHER ALREADY EMPLOYED IN THE UNIVERSITY CLASSIFIED CIVIL SERVICE OR NOT, WHO MEETS QUALIFICATIONS ESTABLISHED FOR A GIVEN CLASSIFICATION OR POSITION.
- (V) "ORIGINAL APPOINTMENT" -- AN APPOINTMENT MADE FROM AN ELIGIBLE LIST.
- (W) "PARENTHETICAL SUB-TITLE" -- A GROUP OF POSITIONS LOGICALLY FALLING WITHIN A SINGLE CLASSIFICATION, BUT DISTINGUISHED FROM OTHER POSITIONS WITHIN THAT CLASSIFICATION BY THE PERFORMANCE OF SPECIFIC FUNCTIONS OR DUTIES REQUIRING SPECIALIZED SKILL, KNOWLEDGE OR TRAINING.
- (X) "PART-TIME EMPLOYMENT" -- EMPLOYMENT WHERE THE WORK SCHEDULE IS NORMALLY LESS THAN FORTY HOURS PER WEEK.
- (Y) "PAY RANGE" -- A DIVISION OF A PAY PLAN TO WHICH CLASSIFICATIONS ARE ASSIGNED.
- (Z) "POSITION" -- A SPECIFIC JOB REQUIRING THE PERFORMANCE OF CERTAIN DUTIES AND RESPONSIBILITIES BY AN EMPLOYEE.
- (AA) "PROBATIONARY PERIOD" -- A PERIOD OF TIME AT THE BEGINNING OF AN ORIGINAL APPOINTMENT, A PROMOTION, OR A LATERAL CHANGE FROM ONE CLASSIFICATION TO ANOTHER THAT CONSTITUTES A TRIAL OR TESTING PERIOD FOR THE EMPLOYEE, DURING WHICH THE EMPLOYEE MAY BE TERMINATED OR RETURNED TO THE FORMER CLASSIFICATION.
- (BB) "PROMOTION" -- PLACEMENT OF AN EMPLOYEE IN A VACANT POSITION IN A CLASSIFICATION THAT HAS A HIGHER PAY RANGE THAN THAT PREVIOUSLY HELD.
- (CC) "PROMOTIONAL EXAMINATION" -- AN EXAMINATION OPEN ONLY TO PERSONS ALREADY EMPLOYED IN THE UNIVERSITY SERVICE FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR PROMOTION.
- (DD) "PROVISIONAL APPOINTMENT" -- AN APPOINTMENT MADE IN THE ABSENCE OF AN APPROPRIATE OR COMPLETE ELIGIBLE LIST.
- (EE) "REASSIGNMENT" -- AN INVOLUNTARY TEMPORARY OR PERMANENT MOVE OF EMPLOYMENT WITHIN THE SAME OR SIMILAR CLASSIFICATION AND/OR WORK LOCATION WITHIN THE SAME JURISDICTION OF THE UNIVERSITY.
- (FF) "RECLASSIFICATION" -- THE ACT OF CHANGING THE CLASSIFICATION OF AN EXISTING OCCUPIED POSITION.
- (GG) "REDUCTION IN FORCE" -- A DECREASE IN THE NUMBER OF POSITIONS AT THE UNIVERSITY'S INITIATIVE DUE TO A LACK OF FUNDS, LACK OF WORK, REASONS OF ECONOMY, OR REORGANIZATION FOR EFFICIENCY.
- (HH) "REGULAR EMPLOYMENT" -- EMPLOYMENT WHICH CUSTOMARILY REQUIRES THE SERVICES OF AN EMPLOYEE ON A REGULARLY SCHEDULED AND CONTINUING BASIS.

- (II) "REINSTATEMENT" -- THE ACT OF RETURNING A FORMER EMPLOYEE TO THE SAME OR SIMILAR POSITION WITHIN THE UNIVERSITY CLASSIFIED CIVIL SERVICE, FOLLOWING A PERIOD OF NOT MORE THAN ONE YEAR OF SEPARATION.
- (JJ) "SEASONAL EMPLOYMENT" -- REGULAR EMPLOYMENT WHERE THE SERVICE REOCCURS FOR A SPECIFIED PERIOD OF TIME DURING A PARTICULAR TIME OF THE YEAR.
- (KK) "SPECIFICATION" -- A COMPOSITE OF THE DUTIES AND REQUIREMENTS OF A CLASSIFICATION.
- (LL) "SUSPENSION" -- THE INTERRUPTION OF AN INDIVIDUAL'S EMPLOYMENT AND COMPENSATION FOR A FIXED PERIOD OF TIME FOR REASONS OF DISCIPLINE.
- (MM) "TEMPORARY EMPLOYMENT" -- AN APPOINTMENT THAT SERVES AT THE DISCRETION OF THE APPOINTING AUTHORITY AND:
(1) IS FOR A LIMITED DURATION;
(2) IS FOR A SPECIFIC PROJECT;
(3) AUGMENTS REGULAR STAFF DUE TO INCREASED WORK LOADS OR STAFF SHORTAGES; OR
(4) REPLACES A REGULAR EMPLOYEE DURING AN ABSENCE DUE TO ILLNESS, LEAVE OF ABSENCE OR VACATION.
- (NN) "TERMINATION" -- THE INVOLUNTARY ENDING OF AN EMPLOYEE'S EMPLOYMENT WITH THE UNIVERSITY.
- (OO) "TRANSFER" -- A VOLUNTARY MOVE OF EMPLOYMENT AS A RESULT OF AN APPLICATION FOR A DIFFERENT POSITION.
- (PP) "WORKING SUSPENSION" -- A SUSPENSION WHERE THE INDIVIDUAL'S EMPLOYMENT AND COMPENSATION ARE NOT INTERRUPTED, BUT FOR THE PURPOSES OF PROGRESSIVE CORRECTIVE ACTION, IS EQUAL IN WEIGHT TO A REGULAR SUSPENSION.

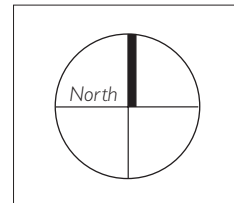
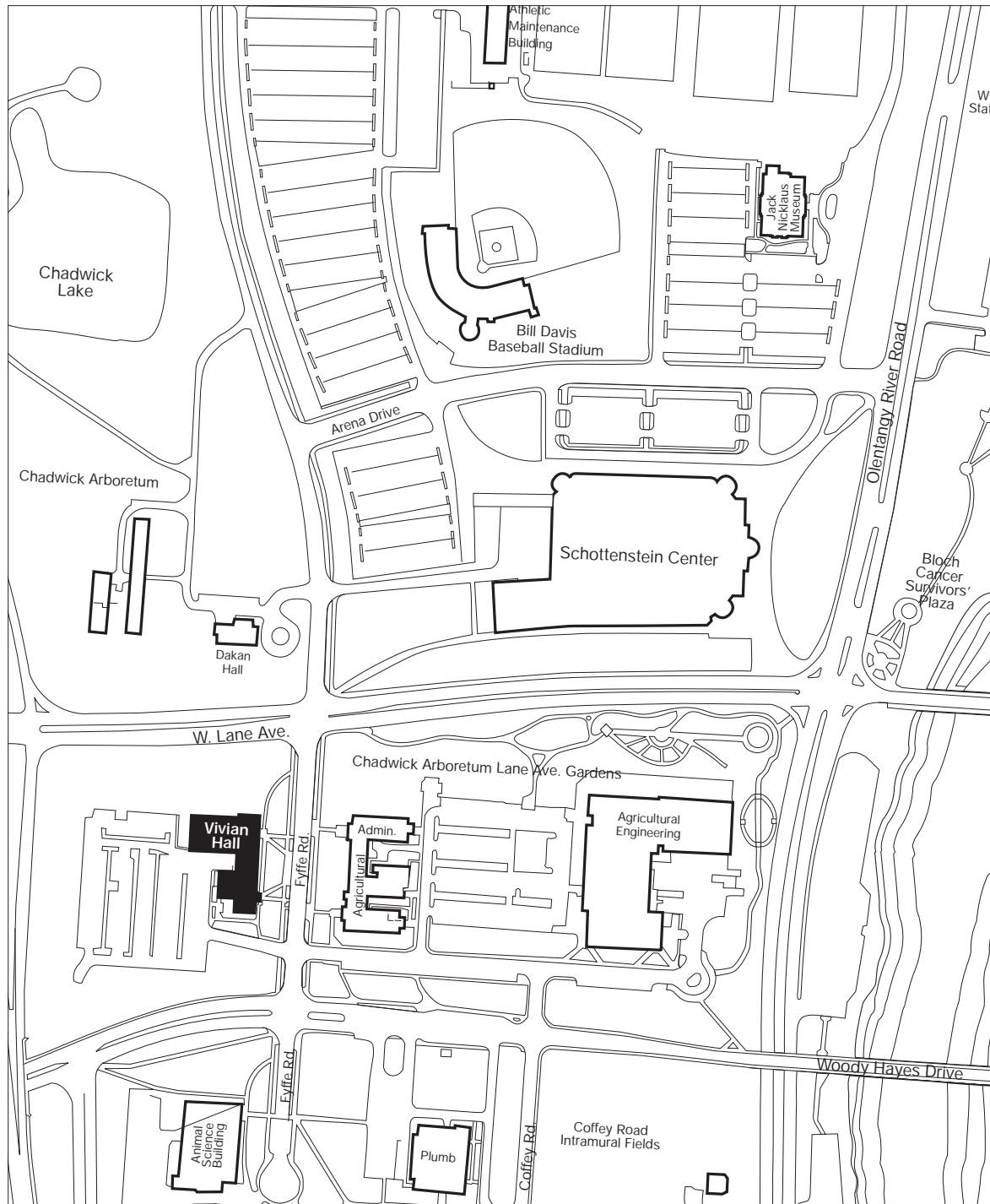
OARDC - Hayden Hall Renovation



Office of Business and Finance
Office of Facilities Planning and Development

May 16, 2001

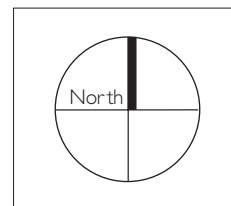
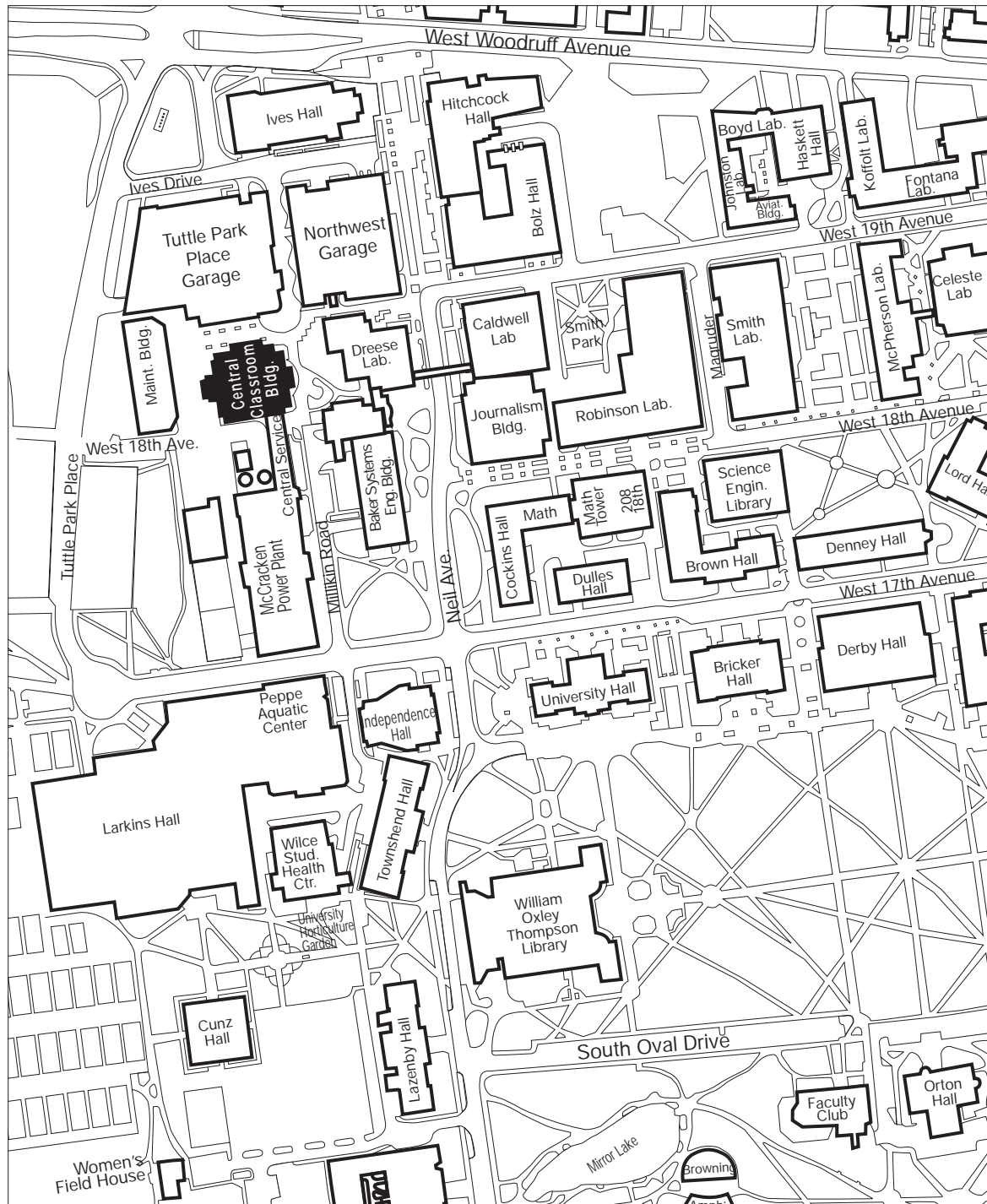
Vivian Hall - Rooms 1-218



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May 16, 2001

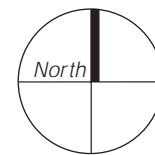
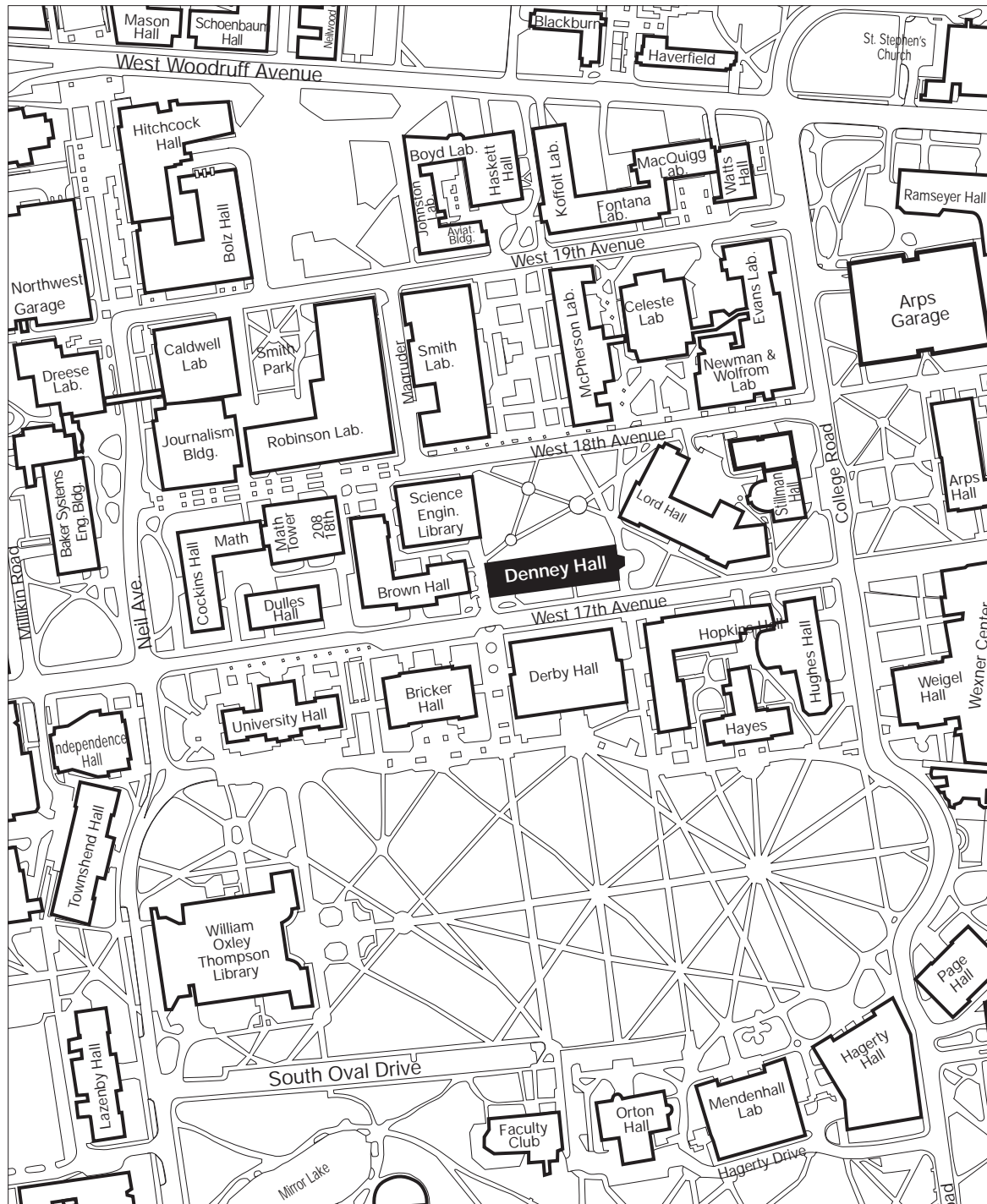
Central Classroom - Roof Replacement



Office of Business and Finance
Office of Facilities Planning and Development

May 16, 2001

Denney Hall - Classroom Renovation Phase I



Office of Business and Finance
Office of Facilities Planning and Development

May 18, 2001

The Ohio State University Board of Trustees
June 1, 2001

TOPIC:

Compensation Guidelines

CONTEXT:

The April 6 compensation report to the Board of Trustees showed that Ohio State is, on average, below the market for most faculty and staff (Attachment A).

Fiscal Year 2001-02 will be a particularly difficult budget year due to very limited growth in state support and unusually large increases in health benefit and fuel costs (Attachment B).

A one-time health insurance premium credit will be given to staff earning below \$30,000 annually, to help offset increased co-pays and deductibles for that group. Premium credit would be \$50 for single coverage and \$156 for family coverage.

RECOMMENDATION:

- Due to limited availability of funds, target a flat dollar increase of approximately \$395 annually to all regular faculty and staff with a 75% to 100% appointment whose performance is satisfactory or better. This will offset increases in insurance premiums and parking for most faculty and staff (Attachment C), but will not offset increased co-pays and deductibles.
- Increase Graduate Associate stipends by \$10 per month and increase the minimum Graduate Associate stipend to \$900 per month.
- Implement the first year of a three-year plan by providing \$15 per month in University support for health insurance coverage for graduate associates. The three-year plan is to reach a total benefit subsidy of \$50 per month.
- Total estimated cost of these recommendations will be approximately \$3.9 million in Columbus Campus General Funds (Attachment D).
- Allow the University Medical Center flexibility to meet market demands unique to its market with self-generated funds.
- The President will present to the Board in October a plan to restore salaries to competitive market levels beginning in FY 2003.

ACTION REQUESTED:

Approval of attached resolution.

Office of Academic Affairs
Office of Business and Finance
Office of Human Resources
08/20/07

Summary of Compensation Benchmarking Report
April 6, 2001
Board of Trustees Presentation

- Our salary increases have been trailing the market.
- Market will increase by approximately 4.0%.
- Faculty salary ranking among benchmark institutions has slipped to 8th out of 10.
- 13 of 17 colleges are below market for faculty salaries (excludes the College of Medicine and Public Health).
- Staff salaries are also below the market.
- We continue to differentiate salaries based on performance.
- Net institutional investment for Graduate Associates is competitive; however, net financial support is not.
- We are among only 3 of 14 comparison institutions that do not provide any medical benefit subsidy to Graduate Associates.
- Benefits costs as a percent of salary has remained steady during the past 10 years.

Selected Cost Increases as a Percentage of Payroll

FY 2002 General Funds Only

	<u>Dollars</u>	<u>Percent*</u>
3.3% tuition cap relief	\$4.6M	1.0%
Student Financial Aid	\$8.8M	1.9%
University share of health insurance for faculty and staff	\$6.6M	1.4%
Fuel (natural gas, oil)	<u>\$2.5M</u>	<u>.5%</u>
	\$22.5M	4.8%

* *One percent of General Funds payroll equals \$4.6M.*

In other words, the University's General Funds budget in FY 2002 will absorb the equivalent of a 4.8% pay increase to pay for essentials such as Student Financial Aid, health insurance, fuel costs and improvements to the undergraduate student experience.

“Core” Fee Increases for FY 2002**Faculty/Staff Contributions**

Core Fee Increases	<i>Annual Increase</i>	
	Classified	Unclassified/Faculty
Prime Care Family Coverage	\$312.60	\$312.60
Dental Family Coverage	22.56	22.56
Vision Family Coverage	23.88	23.88
Parking Fees	18.00	36.00
Total annual increase:	\$377.04	\$395.04

Notes:

- * *Healthcare fee increases are approved and final*
- * *Parking fees will be approved by the Board of Trustees this meeting*

Data as of April 23, 2001

Estimated Cost of Compensation Recommendations (Including Benefits)
Columbus Campus *
(FY 2002)

Item	General funds	Other Funds	Total
	(in millions)	(in millions)	(in millions)
\$395 Annual Increase	\$ 3.06	\$ 3.35	\$ 6.41
GA Stipend Increases	.31	.15	.46
GA Health Insurance	.54	.28	.82
Total	\$ 3.91	\$ 3.78	\$ 7.69

* Excludes approximately 3,300 University Medical Center employees and 1,800 employees covered separately under collective bargaining contracts.

Total Employees Affected:

Faculty	3,972
Staff	8,953
Graduate Associates	5,042

TUITION AND FEE RECOMMENDATIONS

I. CONTEXT

A. Review of benchmarking comparison:

1. Revenues per student FTE at Ohio State (\$6,473 per FTE student) are significantly less (20%) than the benchmark institution average¹.
2. State support per student FTE at Ohio State is also significantly less (\$748 or 7.8%) than benchmark institutions¹.
3. Resident undergraduate fees at Ohio State are significantly below the average (\$171 per student or 3.8%) for benchmark institutions².
4. Resident undergraduate fees at Ohio State rank 8th among 13 Ohio public assisted universities and are \$252 (5.4%) below the State average³.

B. Conclusion

This makes Ohio State, which continues to compete effectively with its aspirational peers with respect to academic quality, increasingly at risk of falling behind in providing students with a truly outstanding education.

II. RECOMMENDATIONS

A. In order to maintain a competitive position financially, Ohio State needs to increase student fees, effective Autumn Quarter 2001.

1. Resident undergraduate instructional and general fees will increase \$405 per year (9.3%), or \$135 per quarter for a full time student. This is \$144 above the fee cap and has the support of other State universities and the Ohio Board of Regents. The additional funding will be allocated as described under "Implications" below. Fees for non-resident undergraduate students will increase \$822 per year (6.5%).
2. Resident graduate instructional and general fees will increase \$285 per year (4.7%), or \$95 per quarter. Fees for non-resident graduate students will increase \$765 per year (4.9%).
3. Increases above 5.0% are recommended for professional and graduate student instructional fees on a selected basis in the colleges of Business, Pharmacy, Law, Medicine, Dentistry, and Veterinary Medicine.

B. University student financial aid will be increased proportionally to minimize hardship on our neediest students.

C. Weighted increase of all fees and charges will be 6.9% for resident undergraduates who live on the Columbus Campus.

D. Due to changes in the funding guidelines for Access Challenge, a recommendation for the Regional Campus Fees will not be presented until the June 29 meeting.

E. Instructional fees for all Graduate and Professional programs will increase by a base of 5%. Differential Fee Increases⁴ above the 5% base are recommended for the eight graduate and professional programs listed below. These monies will

¹ Based on FY 99 IPEDS Financial Survey.

² Based on Fall 2000 AAUD Tuition and Fee Survey.

³ Based on Fall 2000 Board of Regents Tuition and Fee Survey

⁴ Annually (3 quarters or 2 semesters), unless indicated otherwise.

be used to improve services to students in those colleges inside and outside the classroom. The nonresident surcharges for all Graduate and Professional programs will also increase by 5% with the exception of Medicine. Two of the programs are new in FY 2002- Labor & Human Resources and Physical Therapy.

College	Resident Instructional Fee		Non-Resident Surcharge ¹	
	%	\$	%	\$
Law (semester)	8.75	842	5.0	518
Business (MBA) ²	26.60	2,310	5.0	480
Labor & Human Res ³	14.50	822	5.0	480
Physical Therapy ⁴	9.50	540	5.0	480
Pharmacy	9.00	609	5.0	510
Medicine	10.00	1,347	0.0	0
Dentistry	9.50	1,083	5.0	984
Vet Medicine	9.00	963	5.0	1,017

F. General Fees:

The General Fee funds the student services functions of the Office of Student Affairs. While some General Fee expenditures have increased, these increases are offset by the transfer of International Education out of Student Affairs. International Education will be funded through the Instructional Fee as part of Academic Affairs. Therefore, no change is recommended in the General Fee for FY 2002. Recommended allocation of the General Fee for the Columbus Campus is as follows:

Category	FY 2002 Allocation Per Student Per Quarter ⁵
Counseling and Consultation Services	\$12.41
Disability Services	9.93
Recreation and Intramurals ⁶	19.66
Student Affairs Administration	8.33
Student Health Service	25.44
Student Life Offices	15.54
Student Union General Fund Support ²	13.82
Other ⁷	11.87
Total	\$117.00

Note: This is a 0% increase over FY 2001.

Note: General Fee per student per quarter is calculated by taking the annual budget divided by the predicted FTE total for the year. In FY 2002 the annual FTE is predicted to be 140,623.

Note: The transfer of International Education from Student Affairs to Academic Affairs resulted in the transfer of approximately \$7 per student per quarter from the General Fee to the Instructional Fee.

Note: THIS TABLE REPRESENTS A RECLASSIFICATION OF COSTS BETWEEN THE INSTRUCTIONAL AND GENERAL

¹ Non-resident students pay both resident and non-resident fees.

² Third year of a multi-year plan.

³ First year program of a multi-year plan. Increases are over the regular graduate fees.

⁴ First year program. Increases are over the regular graduate fees.

⁵ FY 2002 Enhanced Budget uses a space cost per square foot figure that represents the average cost of the space to the General Fund. (Law/semester fee is \$176.00).

⁶ Includes only non-revenue portion supported by General Funds.

⁷ Includes Student Personnel Program, Student Housing, University ID Center, Student Affairs Projects, Student Commuter Services, Student Advocacy Program and Parent Association.

FEES AS PROVIDED FOR BY STATE LAW AND DOES NOT
EFFECT THE TOTAL INCREASE IN FEES.

G. Other Charges and Fees

1. Summary of changes in student fees and charges:

The total cost for a resident undergraduate to attend Ohio State's Columbus Campus and live in University housing in FY 2002 will increase \$810 per year or 6.9%.

Fees and Charges	Percent Increase	Dollar Increase
Tuition ¹	9.3%	\$405
Room & Board ²	5.6%	300
Textbooks & Supplies	5.0%	44
Health Insurance ³	6.4%	45
Parking & Bus Pass ⁴	7.8%	11
COTA Bus Pass	0.0%	0
Football Tickets	5.3%	5
Basketball Tickets ⁵	0.0%	0
Total	6.9%	\$810

2. Other Increases are as follows:

Application Fees	No change
Acceptance Fees	No change
Basic Telephone Service	No change
Computer Fees	No change
Faculty & Staff Parking	9% increase
Faculty & Staff Health Insurance ⁶	32% increase
James Cancer Hospital	9% increase
University Hospitals	9% increase
University Hospitals East	9% increase

3. The College of Nursing is implementing a new Nursing Clinical fee of \$450 per year for undergraduates and up to \$750 per year for graduate students.

¹ Undergraduate tuition will increase 9.3% or \$144 above the 6% fee cap.

² South dorm 2/room, 10 meal plan.

³ Based on the single student medical only rate.

⁴ Rates are for the Columbus Campus.

⁵ Some tickets increased \$1.

⁶ Family Plan - Prime Care.

III. IMPLICATIONS

- A. Why are student fees at Ohio State increasing more than inflation?
1. The University is committed to improving itself and its value to the people of Ohio.
 2. The University is behind its competitors in resources available to meet student needs.
 3. The University is embarking on a multi-year plan to improve the quality of the undergraduate learning environment and enhance student services. This will be funded, in part, through tuition increases beyond the previous annual 6% tuition caps.
 4. Although students will share in providing additional resources through higher tuition, the University will also seek other funding sources including private fund raising, sponsored research and internal reallocations through improved operations.
- B. The additional funding above the 6% fee cap will improve the experience of our students and will be allocated for (see President Kirwan's message in section V. Additional Information):
1. Student Financial Aid to protect our neediest students.
 2. Access to high-demand courses.
 3. Improved instructional technology and updating both hardware and software.
 4. Expanded and improved academic & career counseling.
 5. Expanded and improved training for Graduate Teaching Assistants.
 6. Expanded and improved Living/Learning Centers and other special programs.
 7. A Multi-Cultural Center to enhance racial and ethnic diversity.
- Note: This list is subject to modification as the University receives additional student input.*
- C. Even with a 9.3% tuition increase, resident undergraduate tuition at the Ohio State university would still be lower than 6 of the 13 state universities.

**Impact of 9.3% Tuition Increase for Full-time Resident Undergraduates
At OSU Only**

FY 2001 Annual Fees¹		Projected FY 2002 Annual Fees²	
Miami	\$6,403	Miami	\$6,787
Cincinnati	5,337	Cincinnati	5,710
Kent State	5,286	Kent State	5,603
Bowling Green	5,184	Bowling	5,495
Ohio University	5,085	Ohio University	5,390
Toledo	4,680	Toledo	4,961
Akron	4,496	Ohio State-Main Campus³	4,788
Ohio State-Main Campus³	4,383	Akron	4,766
Wright State	4,335	Wright State	4,595
Youngstown State	4,142	Youngstown State	4,391
Cleveland State	4,095	Cleveland State	4,341
Central State	3,573	Central State	3,787
Shawnee State	3,162	Shawnee State	3,352

IV. CONCLUSIONS

- A. Ohio State is an excellent value for Ohio taxpayers, but is not as well funded as its competitors.
- B. Ohio State students expect and deserve the same or better level of service as students elsewhere.
- C. Ohio State will strive to continue to make improvements in the quality of services to students in FY 2002 despite low levels of State support.
- D. Ohio State continues to compete effectively with its aspirational peers with respect to academic quality. However, relatively low levels of state financial support means we are increasingly at risk of falling behind in providing students with a truly outstanding education.

V. ADDITIONAL INFORMATION

- A. President's March 28, 2001 Message Students:

PRESIDENT, STUDENT LEADERS ADDRESS TUITION ISSUE

- President Kirwan kicked off spring quarter with a letter on Monday to undergraduates explaining the purpose and plans for the university's proposal to increase tuition by 3 percent above the 6 percent cap set by the state legislature. The president's letter was followed today by a letter to students from new Undergraduate Student Government President Ryan Robinson, which also addresses the salient points of the plan and seeks student comment in advance of a vote today by student government representatives on their support for the plan.

In his communication, President Kirwan shared with students details regarding the proposal, which will raise tuition an additional \$48 per quarter above the cap next year and bring \$8 million to university coffers during the

¹ Source: Board of Regents

² Assumes 9.3% increase for Ohio State and 6.0% for everyone else. Actual increases may vary depending on individual institutional decisions.

³ Includes annual COTA fee of \$27.

next two years. The president also outlined how the revenues would be spent. The allocations are:

- Increase student financial aid. (\$4 million)
- Increase access to high-demand courses. (\$1.8 million)
- Improve instructional technology, first by keeping computer labs open 24 hours a day, seven days a week, and updating both hardware and software. (\$700,000)
- Increase and improve academic and career advising. (\$450,000)
- Expand and improve training for Teaching Assistants. (\$100,000)
- Improve and expand Living/Learning Centers and other special programs. (\$700,000)
- Establish a Multi-Cultural Center to enhance racial and ethnic diversity. (\$250,000)

The president's letter linked to a Questions and Answers web site which addresses many of the questions and comments regarding the plan, including many that have been raised by students in meetings across campus. Among the issues are how the proposal might impact the university's diverse student population and how students who receive financial aid will be supported.

A form also is available on the web site which allows students and others in the university community to submit their questions about the plan or comment on its proposals. Faculty and staff can read the Q&A, as well as links to the letters from Kirwan and Robinson, on the web.

NOTE: THE DETAILS OF THIS MARCH 28 PROPOSAL ARE BEING MODIFIED BASED ON STUDENT INPUT.